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JOURNAL

OF THE

House of Representatives

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF NORTH CAROLINA

FIRST
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OFFICERS AND MEMBERS

of the

House of Representatives

FIRST SESSION 1983

LISTON B. RAMSEY, *Speaker*..... Marshall, Madison County
ALLEN C. BARBEE, , *Speaker Pro Tempore* .....Spring Hope, Nash County
GRACE A. COLLINS, *Principal Clerk* .....Fuquay-Varina, Wake County
SAM J. BURROW, JR., *Reading Clerk*..... Cary, Wake County
LARRY P. EAGLES, *Sergeant-at-Arms*..... Tarboro, Edgecombe County

REPRESENTATIVES

1st District (2): Camden, Chowan, Currituck, Dare, Gates (Part), Pasquotank, Perquimans, Tyrrell, Washington (Part).
Charles D. Evans (D).....Dare.....Nags Head
Vernon G. James (D) .....Pasquotank.....Elizabeth City

2nd District (1): Beaufort, Hyde, Washington (Part).
Howard B. Chapin (D) .....Beaufort.....Washington

3rd District (3): Craven, Lenoir, Pamlico.
Gerald L. Anderson (D).....Craven.....New Bern
Chris S. Barker, Jr. (D) .....Craven.....New Bern
Daniel T. Lilley (D) .....Lenoir.....Kinston

4th District (3): Carteret, Onslow.
Bruce Ethridge (D).....Onslow.....Swansboro
G. Malcolm Fulcher, Jr. (D) .....Carteret.....Atlantic Beach
J. Paul Tyndall (D) .....Onslow.....Jacksonville

5th District (1): Bertie (Part), Gates (Part), Hertford (Part), Northampton.
C. Melvin Creecy (D).....Northampton .....Rich Square

6th District (1): Bertie (Part), Hertford (Part), Martin (Part), Pitt (Part).
John B. Gillam, III (D).....Bertie.....Windsor

7th District (1): Halifax (Part), Martin (Part), Warren (Part).
Frank W. Ballance, Jr. (D) .....Warren .....Warrenton

8th District (4): Edgecombe, Nash, Wilson.
Allen C. Barbee (D).....Nash.....Spring Hope
Jeanne Fenner (D).....Wilson .....Wilson
Tom Matthews (D).....Nash.....Rocky Mount
J. L. Mavretic (D) .....Edgecombe.....Tarboro

9th District (2): Greene, Pitt (Part).
Sam D. Bundy (D).....Pitt .....Farmville
Edward N. Warren (D) .....Pitt .....Greenville

10th District (1): Duplin, Jones.

Wendell H. Murphy (D)	Duplin	Rose Hill

11th District (2): Wayne.

Martin Lancaster (D)	Wayne	Goldsboro
Charles D. Woodard (D)	Wayne	Goldsboro

12th District (2): Bladen, Pender (Part), Sampson.

Edward C. Bowen (D)	Sampson	Harrells
Murray Pool (D)	Sampson	Clinton

13th District (2): New Hanover (Part).

Harry E. Payne, Jr. (D)	New Hanover	Wilmington
S. Thomas Rhodes (R)	New Hanover	Wilmington

14th District (1): Brunswick, New Hanover (Part), Pender (Part).

Tom Rabon, Jr. (D)	Brunswick	Winnabow

15th District (1): Columbus.

Richard Wright (D)	Columbus	Tabor City

16th District (3): Hoke, Robeson, Scotland (Part).

Daniel H. DeVane (D)	Hoke	Raeford
John Calvin Hasty (D)	Robeson	Maxton
Sidney A. Locks (D)	Robeson	Lumberton

17th District (2): Cumberland (Part).

C. R. Edwards (D)	Cumberland	Fayetteville
Luther R. Jeralds (D)	Cumberland	Fayetteville

18th District (3): Cumberland (Part).

R. D. Beard (D)	Cumberland	Fayetteville
William E. Clark (D)	Cumberland	Fayetteville
Henry M. Tyson (D)	Cumberland	Fayetteville

19th District (2): Harnett, Lee.

Bob R. Etheridge (D)	Harnett	Lillington
Dennis A. Wicker (D)	Lee	Sanford

20th District (2): Franklin, Johnston.

George W. Brannan (D)	Johnston	Smithfield
Barney Paul Woodard (D)	Johnston	Princeton

21st District (6): Wake.

Allen Adams (D)	Wake	Raleigh
Daniel Blue, Jr. (D)	Wake	Raleigh
Ruth E. Cook (D)	Wake	Raleigh
Aaron E. Fussell (D)	Wake	Raleigh
Marvin D. Musselwhite, Jr. (D)	Wake	Raleigh
Margaret Stamey (D)	Wake	Raleigh

22nd District (3): Caswell, Granville, Halifax (Part), Person, Vance, Warren.

John T. Church (D)	Vance	Henderson
James W. Crawford, Jr. (D)	Granville	Oxford
William T. Watkins (D)	Granville	Oxford

23rd District (3): Durham.

George W. Miller, Jr. (D)	Durham	Durham
W. Paul Pulley, Jr. (D)	Durham	Durham
Kenneth B. Spaulding (D)	Durham	Durham

24th District (2): Chatham (Part), Orange.

Anne Barnes (D)	Orange	Chapel Hill
Joe Hackney (D)	Orange	Chapel Hill

25th District (4): Alamance, Rockingham, Stokes (Part).

Bertha B. Holt (D)	Alamance	Burlington
John M. Jordan (D)	Alamance	Saxapahaw
Robert L. McAlister (D)	Rockingham	Ruffin
Timothy H. McDowell (D)	Alamance	Mebane

26th District (1): Guilford (Part), Randolph (Part).

Herman C. Gist (D)	Guilford	Greensboro

27th District (3): Guilford (Part).

J. Howard Coble (R)	Guilford	Greensboro
Margaret P. Keesee (R)	Guilford	Greensboro
Mary P. Seymour (D)	Guilford	Greensboro

28th District (2): Guilford (Part).

Dorothy R. Burnley (R)	Guilford	High Point
Mary Jarrell (D)	Guilford	High Point

29th District (1): Forsyth (Part), Guilford (Part).

William T. Grimsley (D)	Guilford	Summerfield

30th District (1): Chatham (Part), Randolph (Part).

Frank Redding (R)	Randolph	Asheboro

31st District (1): Moore.

T. Clyde Auman (D)	Moore	West End

32nd District (1): Richmond, Scotland (Part).

Hugh Lee (D)	Richmond	Rockingham

33rd District (1): Anson, Montgomery.

Foyle Hightower, Jr. (D)	Anson	Wadesboro

34th District (4): Cabarrus, Stanly, Union.

Joe R. Hudson (D)	Union	Waxhaw
Robert L. Slaughter (D)	Stanly	Albemarle
Betty Dorton Thomas (D)	Cabarrus	Concord
Dwight W. Quinn (D)	Cabarrus	Kannapolis

35th District (2): Rowan.

Bradford V. Ligon (R)	Rowan	Salisbury
Robie L. Nash (D)	Rowan	Salisbury

36th District (8): Mecklenburg.

Phillip O. Berry (D)	Mecklenburg	Charlotte
J. B. Black (D)	Mecklenburg	Matthews
Louise S. Brennan (D)	Mecklenburg	Charlotte
Ruth M. Easterling (D)	Mecklenburg	Charlotte
Gus Economos (D)	Mecklenburg	Charlotte
Jo Graham Foster (D)	Mecklenburg	Charlotte
H. Parks Helms (D)	Mecklenburg	Charlotte
L. P. Spoon (R)	Mecklenburg	Charlotte

37th District (3): Davidson, Davie, Iredell (Part).

Betsy L. Cochrane (R)	Davie	Advance
J. E. Lambeth (D)	Davidson	Thomasville
John W. Varner (D)	Davidson	Lexington

38th District (1): Randolph (Part).

Harold J. Brubaker (R)	Randolph	Asheboro

39th District (5): Forsyth (Part).

R. J. Childress (D)	Forsyth	Winston-Salem
C. B. Hauser (D)	Forsyth	Winston-Salem
Annie Brown Kennedy (D)	Forsyth	Winston-Salem
Margaret R. Tennille (D)	Forsyth	Winston-Salem
Tom C. Womble (D)	Forsyth	Clemmons

40th District (3): Alleghany, Ashe, Stokes (Part), Surry, Watauga (Part).

David A. Diamont (D)	Surry	Pilot Mountain
J. Worth Gentry (D)	Stokes	King
Margaret B. Hayden (D)	Alleghany	Sparta

41st District (2): Alexander (Part), Wilkes, Yadkin.

John Walter Brown (R)	Wilkes	Elkin
George M. Holmes (R)	Yadkin	Hamptonville

42nd District (1): Iredell (Part).

J. P. Huskins (D)	Iredell	Statesville

43rd District (1): Alexander (Part), Catawba (Part), Iredell (Part).

C. Robert Brawley (R)	Iredell	Mooresville

44th District (4): Gaston, Lincoln.

S. L. Beam (D)	Gaston	Cherryville
David W. Bumgardner, Jr. (D)	Gaston	Belmont
D. R. Mauney, Jr. (D)	Gaston	Cherryville
J. B. Roberts (D)	Gaston	Gastonia

45th District (2): Burke (Part), Catawba (Part).

Austin M. Allran. (R)	Catawba	Hickory
J. Reid Poovey (R)	Catawba	Hickory

46th District (3): Alexander (Part), Avery, Burke (Part), Caldwell, Mitchell, Watauga (Part).

James F. Hughes (R)	Avery	Linville
S. B. Lacey, Jr. (R)	Avery	Newland
George Robinson (R)	Caldwell	Lenoir

47th District (1): Burke (Part).

Ray C. Fletcher (D)	Burke	Valdese

48th District (3): Cleveland, Polk, Rutherford.

John J. Hunt (D)	Cleveland	Lattimore
Edith Ledford Lutz (D)	Cleveland	Lawndale
Charles Owens (D)	Rutherford	Forest City

49th District (1): McDowell, Yancey.

Robert C. Hunter (D)	McDowell	Marion

50th District (1): Henderson (Part).

Charles H. Hughes (R)	Henderson	Hendersonville

51st District (4): Buncombe, Transylvania, Henderson (Part).

Marie W. Colton (D)	Buncombe	Asheville
Narvel J. Crawford (D)	Buncombe	Asheville
Gordon H. Greenwood (D)	Buncombe	Black Mountain
Martin L. Nesbitt (D)	Buncombe	Asheville

52nd District (2): Graham (Part), Haywood, Jackson, Madison, Swain.

Charles Beall (D)	Haywood	Clyde
Liston B. Ramsey (D)	Madison	Marshall

53rd District (1): Cherokee, Clay, Graham (Part), Macon.

Jeff H. Enloe, Jr. (D)	Macon	Franklin

HOUSE JOURNAL

SESSION 1983

FIRST DAY

HOUSE OF REPRESENTATIVES
Wednesday, January 12, 1983

This day, in accordance with the Constitution of the State of North Carolina and G.S. 120-11.1, which fixes the date for the meeting of the General Assembly of North Carolina, the Members of the House of Representatives assemble in the House Chamber of the State Legislative Building in the City of Raleigh at 12:00 Noon and are called to order by the Honorable Thad Eure, Secretary of State.

Prayer is offered by Dr. Albert G. Edwards, Pastor of First Presbyterian Church, Raleigh, North Carolina, as follows:

"Sovereign God, Creator, Redeemer, Sustainer of all mankind, we thank Thee that Thou art abundantly good to all who call upon Thee, and that Thou art ever more ready to give than we are to ask.

"We thank Thee for the men and women of this House who have been returned by their constituents for another term. Whether they have been returned by merit, or whether because they are the best of the worst, it matters not; they are here and in their hands are immense responsibilities. May the PRESTIGE and PREFERENCE that accompany seniority and the POWER that comes from EXPERIENCE be possessions and advantages that are unselfishly and impartially utilized.

"We pray for those who are new to the House. Keep them from cynicism and despair when they realize that all they seek is not attainable. Help them to recognize that not of all endeavors will it be possible to say, 'Well done, good and faithful servant.' But may they so labor that it may be said 'WELL TRIED, GOOD AND FAITHFUL SERVANT'. In Thy Holy Name, Amen."

The roll is called and all of the Members-elect except Ms. Margaret P. Keesee and Mr. Martin L. Nesbitt answer when their names are called. Ms. Keesee and Mr. Nesbitt are granted a leave of absence for today.

The one hundred eighteen Members-elect who are present, appear with proper certificates of election, take and suscribe to the following oath of office, which is administered by the Honorable Earl Vaughn, Chief Judge of the North Carolina Court of Appeals.

OATH FOR MEMBERS OF THE HOUSE OF REPRESENTATIVES

"I do solemnly swear or affirm that I will support the Constitution and laws of the United States; and,

"I do solemnly and sincerely swear or affirm that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain, and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and,

"I do solemnly swear or affirm that I will faithfully discharge my duties as a Member of the 1983 House of Representatives of the General Assembly of the State of North Carolina, to the best of my skill and ability, so help me, God."

District	*Name*
1st	Charles D. Evans Vernon G. James
2nd	Howard B. Chapin
3rd	Gerald L. Anderson Chris S. Barker, Jr. Daniel T. Lilley
4th	Bruce Ethridge G. Malcolm Fulcher, Jr. J. Paul Tyndall
5th	C. Melvin Creecy
6th	John B. Gillam, III
7th	Frank W. Ballance, Jr.
8th	Allen C. Barbee Jeanne Fenner Tom Matthews Josephus L. Mavretic
9th	Sam D. Bundy Edward N. Warren
10th	Wendell H. Murphy
11th	Martin Lancaster Charles D. Woodard
12th	Edward C. Bowen Murray Pool
13th	Harry E. Payne, Jr. S. Thomas Rhodes
14th	Tom Rabon, Jr.
15th	Richard Wright
16th	Daniel H. DeVane John Calvin Hasty Sidney A. Locks

17th	C. R. Edwards Luther R. Jeralds
18th	R. D. Beard William E. Clark Henry M. Tyson
19th	Bob R. Etheridge Dennis A. Wicker
20th	George W. Brannan Barney Paul Woodard
21st	Allen Adams Daniel Blue, Jr. Ruth E. Cook Aaron E. Fussell Marvin D. Musselwhite, Jr. Margaret Stamey
22nd	John T. Church James W. Crawford, Jr. William T. Watkins
23rd	George W. Miller, Jr. W. Paul Pulley, Jr. Kenneth B. Spaulding
24th	Anne Barnes Joe Hackney
25th	Bertha M. Holt John M. Jordan Robert L. McAlister Timothy H. McDowell
26th	Herman C. Gist
27th	J. Howard Coble Mary P. Seymour
28th	Dorothy R. Burnley Mary Jarrell
29th	William T. Grimsley
30th	Frank Redding
31st	T. Clyde Auman
32nd	Hugh Lee
33rd	Foyle Hightower, Jr.
34th	Joe R. Hudson Robert L. Slaughter Betty Dorton Thomas Dwight W. Quinn

35th	Bradford V. Ligon Robie L. Nash
36th	Phillip O. Berry J. B. Black Louise S. Brennan Ruth M. Easterling Gus Economos Jo Graham Foster H. Parks Helms L. P. Spoon
37th	Betsy L. Cochrane J. E. Lambeth John W. Varner
38th	Harold J. Brubaker
39th	R. J. Childress C. B. Hauser Annie Brown Kennedy Margaret R. Tennille Tom C. Womble
40th	David H. Diamont J. Worth Gentry Margaret B. Hayden
41st	John Walter Brown George M. Holmes
42nd	J. P. Huskins
43rd	C. Robert Brawley
44th	S. L. Beam David W. Bumgardner, Jr. D. R. Mauney, Jr. J. B. Roberts
45th	Austin M. Allran J. Reid Poovey
46th	James F. Hughes S. B. Lacey, Jr. George Robinson
47th	Ray C. Fletcher
48th	John J. Hunt Edith Ledford Lutz Charles Owens
49th	Robert C. Hunter
50th	Charles H. Hughes

51st	Marie W. Colton
	Narvel J. Crawford
	Gordon H. Greenwood
52nd	Charles Beall
	Liston B. Ramsey
53rd	Jeff H. Enloe, Jr.

One hundred eighteen Members having answered the roll call, the Secretary of State declares a quorum is present.

The Secretary of State announces that the first order of business is the election of a Speaker and declares that nominations are in order.

ELECTION OF OFFICERS

Representative Charles Beall places in nomination the name of Representative Liston B. Ramsey, of Madison County, as Speaker of the 1983 House of Representatives.

"Mr. Secretary of State, distinguished visitors and guests, ladies and gentlemen of the House:

"It is with the greatest of pleasure and a feeling of honor that I nominate for Speaker of the House for 1983-85 my esteemed colleague from the 52nd District, the Honorable Liston Bryan Ramsey.

"In doing so, I am reminded of one of the most profound statements of all time: 'Many are called, but few are chosen.'

"These seven words in the Book of St. Matthew speak a parable that has remained one of the most abiding truths down through the ages.

"Many are those who are adept at managing, directing or supervising — and these are entirely praiseworthy qualities much to be desired in an individual. But there are relatively few who emerge as true leaders — persons who, in order to rally people to action, have only to say: 'Let's go. Follow me.'

"It is a quality difficult to define.

"The Marine Corps calls it 'command presence.' But, whatever the name, it is a power that few have and the mark of every true leader.

"Christ had it.

"Moses had it.

"Alexander the Great had it.

"Mahatma Ghandi had it.

"Franklin D. Roosevelt had it.

"George S. Patton had it.

"Vince Lombardi had it.

"Liston Bryan Ramsey has it. He is a true leader, not a custodian.

"He has the uncommon ability to spur people to action with a few well-chosen words or personal example, or both. This he has done for the last two years as Speaker of this House, and this he can be counted on to continue to do for the next two years.

"The true leader 'knows where he is coming from.' That's Liston Ramsey. He does his homework. As former Prime Minister Disraeli of Great Britain said: 'The most successful man is the one who has the best information.'

"The true leader has vision. That's Liston Ramsey. He has a great pride in the past, but an enormous determination to push ahead and work out today's problems in order to assure a better tomorrow.

"The true leader has a keen understanding of human relationships. That's Liston Ramsey. He has few equals as a listener, a mediator, a person who can unite diverse groups and weld them together to produce constructive action.

"The true leader is decisive. That's Liston Ramsey. He never uses time as a reason for not doing something. He sets tough but fair standards and demands performance of the highest calibre.

"The true leader does not waver with the breeze. That's Liston Ramsey. He adopts a philosophy and sticks to it like bark to a tree. He believes as Thomas Jefferson did: 'In matters of principle, stand like a rock.'

"The true leader has a feeling for people. That's Liston Ramsey. A wide streak of populism runs through him. He is a compassionate, friendly, caring individual. Yet, he does not let emotionalism cloud his vision.

"Liston Ramsey symbolizes the motto of the State of North Carolina: 'To Be Rather Than to Seem.'

"With him, what you see is what you get. He is not one to travel under false colors.

"He reflects the strong and sturdy and progressive character of the people of North Carolina, all of the people of North Carolina, not just those in the West, where he was born, reared and resides.

"He has a viewpoint that stretches far beyond sectionalism. Whether a person comes from the East, the Piedmont or the West. . . small town or urban center . . . it makes no difference to him. He has a handle on it all.

"Liston Ramsey is often referred to as 'a legislator's legislator.' It is an exceedingly apt description. As a member of this House for two decades, he has dedicated his life and talents to making the Legislative Branch of the government of North Carolina strong and vibrant, effective and meaningful.

"So great is his affection for this body that he has refused to let personal ambition or the desire for popular favor lessen his uncompromising devotion to the legislative institution.

"Today, as was the case two years ago, Liston Ramsey is exactly the right man at exactly the right time to lead the House of Representatives into what promises to be a very difficult and challenging session. No member of this body commands greater respect or is characterized by greater innate qualities of leadership, ability, integrity and conviction.

"It is my high privilege to nominate for Speaker of the 1983 House my friend and your friend, a gentleman in the classic sense of the word and a model of decent and effective public service, the Honorable Liston B. Ramsey of the 52nd House District of North Carolina."

The nomination is seconded by Representative Jo Graham Foster.

"When our hearts are so full, how inadequate are our words that tumble out. In spite of my inadequacy, I am pleased to rise and second the nomination of Liston Ramsey as Speaker of this House.

"No matter how many times we have experienced it, the beginning of each new session is an exciting event. A memory that will linger long in our heart's treasury.

"We have never been so starved as we are today for capable, concerned, and creditable leaders. It is the desperate need of the hour. What a reassuring feeling to know that Liston Ramsey fills the bill with the following credentials:

"Size Up Situations.

"As the clock ticks, tensions tighten and suspicion surrounds us like a seeping stain as we watch people extending empty hands to what they perceive to be an empty world — Liston will be searching for solutions.

"Liston will be sensitive to our desires, disappointments, hurts, and our bruises. He will not break a bruised reed, or snuff out a smoldering wick, but he will work long and hard with us. Liston's hands will pull us forward. He is the star that will give us light. He will mold a shape, or tug and pull until he's satisfied that we are all right.

"Liston is a man of action — when the hungry call and the helpless cry some of us stumble over how and why — not Liston, he will look for answers.

"Liston is endowed with academic excellence. He is never so busy with small worries that he misses larger answers. He realizes that no problem is so small that inattention won't worsen and none so great that cannot be solved by determination and persistence.

"Liston is a believer — never disturbed because others do not yet see the facts which he sees.

"Liston will encourage us when we are discouraged and will cheer us up when we are down.

'Little bird with a broken wing
You may not fly but you can sing.'

"Liston will be the captain of the ship. He will never allow any of us to write his epitaph while he is holding all the pieces of the puzzle in his own hands.

"He will daily remind us that we are rich, not according to what we have, but according to what we are.

"Liston's wisdom will save us from false choices and unnecessary blunders when we push and putter, worry and shove — looking for molehills to make mountains of.

"Lenore Fisher wrote, 'Only the winds and wild birds know where to plant the seeds that grow.' Evidently, she did not know our Speaker. As he plants the seeds, may we cultivate, water, and tend them well so together we may reap a rich, ripe, rewarding harvest for every citizen in the State of North Carolina."

The nomination is also seconded by Representative John Gillam.

"Mr. Secretary, Members of the North Carolina House of Representatives, honored guests, ladies and gentlemen:

"Liston Ramsey has learned that leaders discover sooner than others how our destiny is fashioned by what all of us do. Our destiny is molded by the deeds and desires of each citizen, just as one tiny drop of water after another ultimately makes a big river. He has learned, too, that no government is perfect. That one of the chief virtues of a democracy is that its defects are always visible and under democratic processes they can be pointed out and corrected.

"Liston Ramsey's loyalty to service has made him trust people and in so doing they likewise trust him. His belief in people encourages them to prove themselves great. Loyalty requires that each citizen take the trouble to learn about, to discuss and to think through the crucial issues of our times. Liston Ramsey's loyalty to service has given him the wisdom to learn about, the wisdom to discuss, the wisdom to think through the crucial issues before all North Carolinians.

"Liston Ramsey's courage with honor has made him realize that if a thing is worth having it's worth fighting for. Courage has always been regarded as one of the major human virtues. He has realized this and has throughout his political career honorably served all North Carolinians with confidence and courage.

"Liston Ramsey's ability to accept criticism with dignity has made us understand that those who do well welcome criticism and those who do not resent it. He has used the criticisms and the mistakes of his past as the foundation on which to build the future of North Carolina. Liston Ramsey realizes that the gathering of knowledge is the supreme achievement of people. He realizes, too, that it is the province of knowledge to speak and it is the privilege of wisdom to listen; consequently, his political creativity has and is helping write the history of our State.

"He realizes that no great thing is created suddenly, any more than an ear of corn or an apple. If you tell Liston that you desire an apple, his answer would be that there must be time. He would say let it first blossom, then bear fruit, then ripen.

"His loyalty to service . . .

"His courage with honor . . .

"His acceptance of criticism with dignity . . .

"His understanding of knowledge . . .

"His wisdom of creativity . . .

"These are, Mr. Secretary, some of the reasons why it is a personal pleasure and an honor to second the nomination of Representative Liston B. Ramsey of Madison as Speaker of the House of Representatives of the great State of North Carolina."

The nomination is also seconded by Representative Kenneth Spaulding.

"Mr. Secretary; Members of the North Carolina House of Representatives, families, friends and guests.

"I stand before you to second the nomination of a man who exemplifies the true spirit of democracy and fairness.

"Liston B. Ramsey is a fair and just mountain man from the western part of this State who has established and maintained the respect and regard of legislators from the East, the Piedmont and obviously the West.

"His leadership in the North Carolina House of Representatives during the 1981 and 82 Sessions made it possible for there to be free and open discussion on issues of great importance to this legislative body and to the citizens of our great state.

"Through his fairness to each and every legislator in respecting their views and positions, and his allowing each and every legislator an opportunity to present their views and positions to the members of this Body, without any question, Liston B. Ramsey as our previous Speaker of the House, made it possible for the views of all of North Carolina's Citizens to be heard, debated and acted upon.

"The North Carolina General Assembly should be a microcosm of the entire State of North Carolina and a reflection of its citizens and their diverse but united aspirations. Through the leadership of our previous Speaker, Liston B. Ramsey, the North Carolina House of Representatives worked hard and strenuously to see that our House of Representatives was truly a House of **'Representatives'** with there being **representation** of all people and all districts in a good, fair and reflective manner.

"Under the previous leadership of Liston B. Ramsey, the North Carolina House of Representatives gained the reputation of Independence of Thought, and Reasonableness and Fairness in our Action.

"That Reputation is the quintessence of our Leader, Listen B. Ramsey, — Independence of Thought; and Reasonableness and Fairness in his Action.

"Mr. Secretary, and Members of this most august body, I wish to and I do second the nomination of the Honorable Liston B. Ramsey as our next Speaker of the North Carolina House of Representatives."

The nomination is also seconded by Representative Al Adams.

"Mr. Secretary, distinguished members of the Judiciary, members of the House of Representatives and distinguished visitors and families of members.

"We are here on an occasion of celebration and ceremony and I thought it might be appropriate, after two years of the leadership of our Speaker, to see what was said on this occasion two years before. I found that Representative Messer sounded a common theme, that 'Liston Ramsey would be a Speaker for all members of the House.' Representative Foster said that 'Liston thinks that life is a just employer and gives just what you ask, but once you accept the responsibility then you must assume the task, and he will expect us to take seriously our responsibility.' Representative Bundy cited the Speaker's approachability by members of the General Assembly. Representative Church stated that he would be willing to give a helping hand to all members of the House and to all newcomers. Representative Rabon cited that with our next Speaker, we'll see a House of Representatives with equal opportunity for all of its members, and I stated that 'he wants each of us to participate to the fullest in the course and direction of the welfare of the people of this State.'

"And the common thread is that Liston Ramsey has faith in you as representatives of the people of North Carolina just as he has faith in the people of North Carolina who sent you here.

"And on this occasion I cannot help but be reminded, on this day of celebration and ceremony, of the words of another great American, Adlai Stevenson: (to paraphase) when the tumult and the shouting die, and the bands are gone and the lights are dimmed, there is the stark reality of responsibility in an hour of our history of almost terrifying difficulties. What better man than Liston Ramsey to talk sense to the people of North Carolina.

We should thank God that we have a person so uniquely and superbly qualified to lead us through these days of tough decisions.

"Mr. Secretary, I am, without reservation, delighted and honored to second the nomination of Liston Ramsey of Madison as Speaker of the 1983 House of Representatives."

The nomination is also seconded by Representative N. J. Crawford.

"Ladies and Gentlemen of the House:

"There is a phrase in the Bible, I believe you will find it in I Corinthians, and it goes something like this:

" 'For if the trumpet gives an uncertain sound, who shall prepare us for the battle?' 1983, my friends, will be a year of many battles in this General Assembly; battles for ideas and ideals, battles for education and ecology, battles for construction and conservation, battles for highways and health, battles for principals and priorities — battles that will deeply affect the lives and future of those we are charged and privileged to serve, and there is no one better qualified to prepare us for these battles than that magnificent man from the County of Madison.

"For Liston Ramsey speaks not with uncertain and cacophonous sounds. He speaks with clarity and precision, with poignancy and persuasiveness, with passion and power. He speaks with that breadth of experience and that depth of perception which has been the foundation and the fruit of his distinguished career spanning two decades in this General Assembly.

"For Liston Ramsey's life is a litany of concern for people and for genuine human need wherever it exists. Those of us who have been privileged to serve with him in this House can testify that he is a daily and persistent practitioner of the art and science of government.

"Liston has taught us in his own inimitable way that politics is not a spectator sport; that it is the singularly serious vocation of action and participation and that the deliberations of this Body, and others like it across the land, are the heart and core, the strength and vitality, the purpose and the meaning of the Democratic process and indeed the hope and the glory of this State and of this Republic.

"It is with a commingling of pleasure and pride that I second the nomination of this man of candor, creativity and compassion; this man we have come to know and respect and love . . . the great Speaker of the North Carolina House — the Honorable Liston Ramsey."

There being no further nominations, the Secretary of State declares the nominations closed and requests that the roll of the House be called. The following members vote for Representative Ramsey: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Bundy, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jordan, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash,

Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright.

Mr. Ramsey having received all the votes is declared Speaker of the 1983 House of Representatives.

The Speaker, escorted to the Chair by Representatives Ed Warren, Dan Blue, Harry Payne, Margaret Tennille, Jim Black, and Bob Hunter takes and subscribes to the following oath of office administered by the Honorable Lacy Thornburg, Judge of the 30th Judicial District.

"I, Liston B. Ramsey, do solemnly swear that I will support the Constitution and laws of the United States; and,

"I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain, and defend the Constitution of said State, not inconsistent with the Constitution of the United States; to the best of my knowledge and ability; and,

"I do solemnly swear that I will well and truly execute the duties of the office of Speaker of the 1983 House of Representatives of the General Assembly of the State of North Carolina to the best of my skill and ability, according to laws; so help me, God."

The Speaker, Mr. Ramsey, approaches the dais and makes the following remarks:

"Mr. Secretary of State, Justices of the Supreme Court, Judges of the Court of Appeals, Members of the Council of State, fellow Members of the House, my family and friends, ladies and gentlemen.

"Thank you for your renewed expression of trust. I shall honor it in everything I undertake to do as Speaker of this House.

"When you first elected me as your Presiding Officer two years ago, I never dreamed that a greater honor could ever come my way.

"I was mistaken.

"To be elected Speaker initially is, indeed, a tremendous honor. But to find two years later that you continue to merit the confidence of your colleagues is, in my judgment, an even greater honor.

"I thank you with all my heart and promise to perform the duties of the office to the best of my ability in keeping with the solemn oath I have just taken.

"I hope all of us came here today fully realizing the magnitude of the job that lies ahead for us. Ladies and gentlemen of the House, today we begin what could be one of the most difficult legislative sessions in the recent history of North Carolina.

"Our problem arises from the fact that the economy of this country is mired in recession.

"More businesses are going bankrupt and more people are out of work than at any time in the past 40 years.

"Almost one-third of the nation's industrial capacity is idle. According to a recent report, there are more people working at McDonald's than at U. S. Steel.

"It is a situation that is undermining the revenue structures of state governments. Here in North Carolina, our revenue growth has been stunted to the point where we will begin this session with a shortfall in excess of one hundred million dollars. We must make that up as well as fund a 1983-85 budget that will be ample to the expanding service needs of the people of our State.

"And we must do this while maintaining a balanced budget and a reasonable level of taxation.

"The economy hangs like a cloud over these halls. How it performs will affect every decision we make in the months ahead.

"In my judgment, it is a situation that calls for us to be careful but not fearful.

"There is no reason to fear the future, but there is every reason to face it with concern.

"We cannot promise that we will find all of the answers to all of the problems. But we can promise — and we do promise — that we will not try to duck the hard choices which circumstances require us to make.

"Furthermore, I am convinced that we will be equal to the challenge.

"We will fund all essential programs at adequate levels.

"We will educate our children.

"We will assure the public health and safety.

"We will protect our natural resources and our agriculture.

"And we will assist the disadvantaged and the helpless.

"We cannot let our economic problems hold back these efforts.

"Of course, government cannot feed everyone, clothe everyone, house everyone, or shield everyone from every economic ill wind that blows. On the other hand, people still expect something from government.

"Government has a responsibility to those people who have urgent and unmet needs not of their own making. For every 'welfare cheater' out there, there are hundreds of people who desperately want to be able to support themselves, but can't.

"All of us are aware that there is sentiment in this country that government has grown beyond reasonable bounds, and that it has grown for its own sake and not in the interest of the citizens who pay for it.

"I respect this sentiment but I do not believe it is incompatible with providing basic human services. In any and all matters, we must legislate and appropriate with caution and in keeping with the principles of fiscal soundness.

"I sincerely hope that this General Assembly will not contribute to what I believe to be a very dangerous trend in government — and, that is, the excessive regulation of private business and industry.

"Over the past several years, the private sector has been practically covered-up with rules and regulations. Many of them are so costly to implement that they stifle initiative and free enterprise. Others have little more than a nuisance value.

"The federal government is chiefly to blame, but it could happen here. If we sit idly by, bureaucratic regulators at the state level will attempt to track the federal government and

impose unnecessary rules on private business. Our duty is to see that this doesn't happen.

"Government should look upon business as a partner, not as someone who ought to suffer under excessive regulation, nit-picking and tinkering. Common sense and the 'rule of reason' ought to apply.

"The budget which this session will ultimately adopt will be a lean budget, not necessarily because we have no choice, but because we believe that government should not ask of others what it is unwilling to do itself.

"The people of North Carolina deserve a government that is dedicated to restraint in spending, committed to honesty, and conducted in an atmosphere of harmony among the three branches — the Legislative, the Executive and the Judicial.

"We pledge to the Executive and the Judiciary our full cooperation and we solicit the same in return.

"Exactly a year ago, on January 12, 1982, the State Supreme Court handed down a decision bearing on the separation of powers between the Legislative and Executive branches of our government.

"That decision cited a constitutional prohibition against legislators serving on boards and commissions having administrative or policy-making authority. As a result, legislators have vacated numerous boards and commissions, and a special Joint Committee on Separation of Powers has been at work for the last four months.

"In all probability, the Joint Committee will propose significant legislation to further define the constitutional limits of power between the Legislative and Executive branches.

"I feel, and I am sure the majority of you feel, that the Legislative branch should not encroach upon the powers of the other branches, and they, in turn, should not encroach upon us.

"I strongly suggest to you that, as legislators, you not relinquish any power that rightfully belongs to the Legislative branch of government. By the same token, I sincerely hope that you will not attempt to usurp powers that rightfully belong to the Executive branch.

"Bear in mind always that you are the duly-elected representatives of the people. The word 'Representative' in front of your name is crucial — the people have entrusted you to represent their interests. And representation carries with it an obligation to exercise for the benefit of the people all of the powers and duties vested in you by the Constitution of this State.

"It is human nature for governmental department heads to try to obtain as much authority for themselves and their departments as they possibly can. It is our job to see that they do not overstep the bounds of reason.

"I do not want the Legislative branch of government relegated to simply coming to Raleigh and levying additional taxes. There is more to the Legislative branch than that. And the people who send us here expect more than that from us.

"The complex nature of this session will require that each Member of this body work diligently for the next several months. The quality of a product need not be judged by the length of time it takes to produce it, but our constituents would welcome as short a session as possible. It is in their interests that we have a minimum of start-up time and that we accomplish our task as promptly as we can.

"Our problems are large, but our opportunities are even greater.

"In the final analysis, we have only to make our government and our State as good as its people . . . with the same spirit of cooperation and good manners that they have . . . with the same self-reliance and common sense that they have . . . with the same generosity and lack of prejudice that they exhibit.

"I have no doubt that the majority of our people will be willing to accept the hard decisions we will have to make in the weeks and months to come.

"This is our agenda. I look forward to it with great anticipation.

"I express to each Member of this House my personal gratitude for the opportunity to continue in service to you, and I Pledge my unfailing devotion to the interest of North Carolina and Her people.

"Thank you very much."

The Speaker assumes the duties of the Chair.

On motion of Representative John J. Hunt, the rules of the House of Representatives for 1981, with the following amendment, are adopted as temporary rules for the 1983 House of Representatives:

"Amend Rule 27 by deleting the list of standing committees and inserting in lieu therof the following list: Aging, Agriculture, Alcoholic Beverage Control, Appropriations Base Budget, Appropriations Base Budget Committee on Education, Appropriations Base Budget Committee on Justice and Public Safety, Appropriations Base Budget Committee on Human Resources, Appropriations Base Budget Committee on General Government, Appropriations Base Budget Committee on Natural and Economic Resources, Appropriations Expansion Budget, Appropriations Expansion Budget Committee on Education, Appropriations Expansion Budget Committee on Justice and Public Safety, Appropriations Expansion Budget Committee on Human Resources, Appropriations Expansion Budget Committee on General Government, Appropriations Expansion Budget Committee on Natural and Economic Resources, Banks and Thrift Institutions, Commercial Fishing, Commissions and Schools for the Blind and Deaf, Congressional Redistricting, Constitutional Amendments, Corporations, Corrections, Courts and Administration of Justice, Cultural Resources, Economy, Education, Election Laws, Employment Security, Energy, Finance, Governmental Ethics, Health, Higher Education, Highway Safety, Human Resources, Insurance, Judiciary No. 1, Judiciary No. 2, Judiciary No. 3, Judiciary No. 4, Law Enforcement, Legislative Redistricting, Local Government No. 1, Local Government No. 2, Manufacturers and Labor, Mental Health, Military and Veterans' Affairs, Natural and Economic Resources, Pensions and Retirement, Public Utilities, Rules and Operation of the House, Small Business, State Government, State Personnel, State Properties, Transportation, University Board of Governors Nominating Committee, Water and Air Resources, and Wildlife Resources."

The Speaker announces that nominations are in order for Speaker Pro Tempore.

Representative Joe Mavretic places the name of Allen C. Barbee in nomination for Speaker Pro Tempore. The nomination is seconded by Representatives George Miller and Jack Hunt.

On motion of Representative Charles Evans, the nominations are closed and Representative Barbee is elected by acclamation.

The Speaker Pro Tempore, escorted to the dais by Representatives Watkins, Creecy, Hayden, Lancaster, and Brennan, takes and subscribes to the following oath of office administered by the Honorable Charles Winberry, Superior Court Judge.

"I, Allen C. Barbee, do solemnly swear that I will support the Constitution and laws of the United States; and,

"I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain, and defend the Constitution of said State, not inconsistent with the Constitution of the United States; to the best of my knowledge and ability; and,

"I do solemnly swear that I will faithfully discharge my duties as Speaker Pro Tempore of the 1983 House of Representatives of the General Assembly of the State of North Carolina to the best of my skill and ability; so help me, God."

The Speaker announces that nominations are in order for Principal Clerk of the House of Representatives.

Representative Margaret Tennille places the name of Mrs. Grace A. Collins of Wake County in nomination for Principal Clerk.

The nomination is seconded by Representatives David Diamont and Aaron Fussell.

On motion of Representative Margaret Stamey, the nominations are closed and Mrs. Collins is elected by acclamation.

The Honorable Liston B. Ramsey, Speaker of the House of Representatives, administers the following oath of office to the Principal Clerk.

"I, Grace A. Collins, do solemnly swear that I will support the Constitution and laws of the United States; and,

"I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the governement thereof; and that I will endeavor to support, maintain, and defend the Constitution of said State, not inconsistent with the Constitution of the United States; to the best of my knowledge and ability; and,

"I do solemnly swear that I will faithfully discharge my duties as Principal Clerk of the 1983 House of Representatives of the General Assembly of the State of North Carolina to the best of my skill and ability; so help me, God."

The Speaker announces that nominations are in order for Sergeant-at-Arms of the House of Representatives.

Representative Jeanne Fenner places the name of Larry P. Eagles of Edgecombe County in nomination for Sergeant-at-Arms.

The nomination is seconded by Representative Tom Matthews.

On motion of Representative Marie Colton, the nominations are closed and Mr. Eagles is elected by acclamation.

The Honorable Sidney S. Eagles, Jr., Judge, North Carolina Court of Appeals, administers the following oath of office to the Sergeant-at-Arms.

"I, Larry P. Eagles, do solemnly swear that I will support the Constitution and laws of the United States; and,

"I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the governement thereof; and that I will endeavor to support, maintain, and defend the Constitution of said State, not inconsistent with the Constitution of the United States; to the best of my knowledge and ability; and,

"I do solemnly swear that I will faithfully discharge my duties as Sergeant-at-Arms of the 1983 House of Representatives of the General Assembly of the State of North Carolina to the best of my skill and ability; so help me, God."

The Speaker announces that nominations are in order for Reading Clerk of the House of Representatives.

Representative Richard Wright places the name of Samuel J. Burrow, Jr. of Wake County, in nomination for Reading Clerk. The nomination is seconded by Representative Tim McDowell.

On motion of Representative Frank W. Ballance, Jr., the nominations are closed and Mr. Burrow is elected by acclamation.

The Honorable Gerald Arnold, Judge, North Carolina Court of Appeals, administers the following oath of office to the Reading Clerk.

"I, Sam J. Burrow, do solemnly swear that I will support the Constitution and laws of the United States; and,

"I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain, and defend the Constitution of said State, not inconsistent with the Constitution of the United States; to the best of my knowledge and ability; and,

"I do solemnly swear that I will faithfully discharge my duties as Reading Clerk of the 1983 House of Representatives of the General Assembly of the State of North Carolina to the best of my skill and ability; so help me, God."

The Speaker declares that the House of Representatives of 1983 is organized and orders that a Special Message be sent to the Senate so advising that Honorable Body that the House is now ready to proceed with public business.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
January 12, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body informing you that the Senate is organized and is now ready to proceed with the public business; and for your further

information advises that the following officers have been elected:

W. Craig Lawing	President Pro Tempore
Kenneth C. Royall, Jr.	Majority Leader
Sylvia M. Fink	Principal Clerk
Leroy Clark, Jr.	Reading Clerk
Gerda Pleasants	Sergeant-at-Arms

Respectfully,
S/Sylvia M. Fink
Principal Clerk

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

S. J. R. 2, A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR JAMES B. HUNT, JR., THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES AT 7:00 P.M., MONDAY, JANUARY 17, 1983, is read the first time.

On motion of Representative Adams, the rules are suspended, and the resolution is placed before the House for immediate consideration.

The resolution passes its second reading, by electronic vote (105-0) and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

The Speaker orders a Special Message sent to the Senate with the information that Representatives Barbee, Fenner, Mavretic, and Matthews have been appointed to serve with a like committee from the Senate to invite, greet and escort the Governor to the Joint Session on Monday evening, January 17, 1983.

On motion of Representative Quinn, an invitation is extended to the Honorable Thad Eure, Secretary of State, to hold a Legislative School of Instruction and Parliamentary Procedure beginning on Tuesday, January 18, 1983, in the Legislative Building. The Speaker orders a Special Message sent to the Senate inviting that Honorable Body to join the House in this school.

On motion of Representative Beall, the courtesies of the floor are extended to Mrs. Florence Ramsey, wife of the Speaker; Mrs. Martha Geouge, daughter of the Speaker; Mr. Michael Geouge, Son-in-law of the Speaker; Mrs. Grace Castalloe, and Mrs. Marie P. Pritchard, sisters of the Speaker; and Mr. Weaver Pritchard, Brother-in-Law of the Speaker.

The courtesies of the floor are also extended to the family of the Speaker Pro Tempore and the families of members of the House.

On motion of Representative Charles D. Woodard, Charles Kevin Woodard, and Charles Brian Woodard, sons of Representative Woodard, are named honorary pages for January 12, 1983.

COMMITTEE ASSIGNMENTS

The following committee assignments are made by the Speaker:

AGING: Representative Economos, Chairman; Representatives N. J. Crawford, Hayden, Jordan, and Mauney, Vice Chairmen; Representatives Beall, Bowen, Brennan, Diamont, Bruce Ethridge, Foster, Fussell, Grimsley, Hauser, C. Hughes, Ligon, Lutz, Quinn, Stamey, Thomas, and C. Woodard.

AGRICULTURE: Representative James, Chairman; Representatives Anderson, Gillam, Lutz, Warren, and B. Woodard, Vice Chairmen; Representatives Barnes, Black, Brawley, Brubaker, Brown, Creecy, Enloe, Greenwood, Grimsley, Hightower, Jordan, Lacey, Lambeth, Lilley, Locks, McAlister, Matthews, Mavretic, Murphy, Nash, Pool, Pulley, Slaughter, and Tyson.

ALCOHOLIC BEVERAGE CONTROL: Representative Clark, Chairman; Representatives Adams and Holt, Vice Chairmen; Representatives Allran, Coble, Gist, Hudson, Jarrell, Jeralds, Lilley, Pool, Tyson, and Wright.

APPROPRIATIONS — BASE BUDGET: Representative Adams, Chairman; Representatives Beard, Cook, Diamont, Bob Etheridge, Fulcher, Greenwood, Huskins, Nash, Spaulding, and Tennille, Vice Chairmen; Representatives Anderson, Auman, Barnes, Beall, Beam, Black, Bowen, Brennan, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Cochrane, Colton, N. J. Crawford, DeVane, Easterling, Edwards, Enloe, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gillam, Gist, Grimsley, Hayden, Holmes, C. Hughes, J. Hughes, Hunt, Hunter, James, Kennedy, Lee, Ligon, Locks, Lutz, McDowell, Mauney, Murphy, Payne, Rabon, Seymour, Slaughter, Thomas, Tyson, Varner, Warren, Watkins, B. Woodard, and C. Woodard.

APPROPRIATIONS BASE BUDGET COMMITTEE ON EDUCATION: Representative Fulcher, Chairman; Representatives Foster and Warren, Vice Chairmen; Representatives Anderson, Barnes, Burnley, Edwards, Enloe, Greenwood, Hayden, McDowell, Mauney, and Thomas.

APPROPRIATIONS BASE BUDGET COMMITTEE ON GENERAL GOVERNMENT: Representative Beard, Chairman; Representatives Evans and Seymour, Vice Chairmen; Representatives Beall, Bowen, Childress, Church, Colton, N. J. Crawford, Fussell, Kennedy, Ligon, and Spaulding.

APPROPRIATIONS BASE BUDGET COMMITTEE ON HUMAN RESOURCES: Representative Cook, Chairman; Representatives Black and Lutz, Vice Chairmen; Representatives Auman, Beam, Brennan, Diamont, Fenner, C. Hughes, Locks, Rabon, Varner, and B. Woodard.

APPROPRIATIONS BASE BUDGET COMMITTEE ON JUSTICE AND PUBLIC SAFETY: Representative Tennille, Chairman; Representatives Gillam and Hunter, Vice Chairmen; Representatives Brubaker, DeVane, Fletcher, Gist, Grimsley, Holmes, Lee, Nash, Slaughter, and C. Woodard.

APPROPRIATIONS BASE BUDGET COMMITTEE ON NATURAL AND ECONOMIC RESOURCES: Representative Bob Etheridge, Chairman; Representatives Easterling and Bruce Ethridge, Vice Chairmen; Representatives Bumgardner, Chapin, Cochrane, J. Hughes, Hunt, Huskins, James, Murphy, Payne, and Tyson.

APPROPRIATIONS — EXPANSION BUDGET: Representative Watkins, Chairman; Representatives Beard, Cook, Diamont, Bob Etheridge, Fulcher, Greenwood, Huskins, Nash, Spaulding, and Tennille, Vice Chairmen; Representatives Adams,

Anderson, Auman, Barnes, Beall, Beam, Black, Bowen, Brennan, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Cochrane, Colton, N. J. Crawford, DeVane, Easterling, Edwards, Enloe, Bruce Etheridge, Evans, Fenner, Fletcher, Foster, Fussell, Gillam, Gist, Grimsley, Hayden, Holmes, C. Hughes, J. Hughes, Hunt, Hunter, James, Kennedy, Lee, Ligon, Locks, Lutz, McDowell, Mauney, Murphy, Payne, Rabon, Seymour, Slaughter, Thomas, Tyson, Varner, Warren, B. Woodard, and C. Woodard.

APPROPRIATIONS EXPANSION BUDGET COMMITTEE ON EDUCATION: Representative Greenwood, Chairman; Representatives Foster and Warren, Vice Chairmen; Representatives Anderson, Barnes, Burnley, Edwards, Enloe, Fulcher, Hayden, McDowell, Mauney, and Thomas.

APPROPRIATIONS EXPANSION BUDGET COMMITTEE ON GENERAL GOVERNMENT: Representative Spaulding, Chairman; Representatives Evans and Seymour, Vice Chairmen; Representatives Beall, Beard, Bowen, Childress, Church, Colton, N. J. Crawford, Fussell, Kennedy, and Ligon.

APPROPRIATIONS EXPANSION BUDGET COMMITTEE ON HUMAN RESOURCES: Representative Diamont, Chairman; Representatives Black and Lutz, Vice Chairmen; Representatives Auman, Beam, Brennan, Cook, Fenner, C. Hughes, Locks, Rabon, Varner, and B. Woodard.

APPROPRIATIONS EXPANSION BUDGET COMMITTEE ON JUSTICE AND PUBLIC SAFETY: Representative Nash, Chairman; Representatives Gillam and Hunter, Vice Chairmen; Representatives Brubaker, DeVane, Fletcher, Gist, Grimsley, Holmes, Lee, Slaughter, Tennille, and C. Woodard.

APPROPRIATIONS EXPANSION BUDGET COMMITTEE ON NATURAL AND ECONOMIC RESOURCES: Representative Huskins, Chairman; Representatives Easterling and Bruce Ethridge, Vice Chairmen; Representatives Bumgardner, Chapin, Cochrane, Bob Etheridge, J. Hughes, Hunt, James, Murphy, Payne, and Tyson.

FINANCE: Representative Quinn, Chairman; Representatives Barbee, Barker, Blue, Bundy, Hightower, Jordan, Lilley, and Mavretic, Vice Chairmen; Representatives Allran, Ballance, Berry, Brannan, Brawley, Brown, Clark, Coble, J. W. Crawford, Creecy, Economos, Gentry, Hackney, Hasty, Hauser, Helms, Holt, Hudson, Jarrell, Jeralds, Keesee, Lacey, Lambeth, Lancaster, McAlister, Matthews, Miller, Musselwhite, Nesbitt, Owens, Pool, Poovey, Pulley, Redding, Rhodes, Roberts, Robinson, Spoon, Stamey, Tyndall, Wicker, Womble, and Wright.

Representative Harold Brubaker is recognized and he reports that the Republican Caucus has been held and the following Minority leaders have been elected for the 1983 Session of the General Assembly:

Representative Harold Brubaker — Minority Leader in House
Representative C. Hughes — Minority Whip in House
Representative George M. Holmes — Joint Caucus Leader
Representative Betsy L. Cochrane — Caucus Vice Chairman

On motion of Representative Hunt, seconded by Representative Thomas, the House adjourns to reconvene January 13, 1983 at 1:00 p.m.

SECOND DAY

HOUSE OF REPRESENTATIVES
Thursday, January 13, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Dr. Albert G. Edwards, Pastor of First Presbyterian Church, Raleigh, North Carolina.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of January 12 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Allran, Keesee, Nesbitt, and Wicker for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Lancaster, Anderson, Auman, Beall, Beard, Berry, Black, Brannan, Bundy, Burnley, Chapin, Childress, Diamont, Easterling, Economos, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Gentry, Gillam, Gist, Grimsley, Hauser, Hayden, Helms, Holt, C. Hughes, J. Hughes, Hunt, James, Jarrell, Jordan, Lambeth, Lee, Lilley, Lutz, Mauney, Miller, Murphy, Owens, Payne, Pulley, Quinn, Rabon, Seymour, Tennille, Tyndall, Tyson, Varner, Womble, B. Woodard, and C. Woodard:

H. B. 1, A BILL TO BE ENTITLED AN ACT TO PROVIDE SAFE ROADS BY REQUIRING MANDATORY JAIL TERMS FOR GROSSLY AGGRAVATED DRUNKEN DRIVERS, PROVIDING AN EFFECTIVE DETERRENT TO REDUCE THE INCIDENCE OF IMPAIRED DRIVING, AND CLARIFYING THE STATUTES RELATED TO DRINKING AND DRIVING, is referred to the Committee on Judiciary No. 3.

By Representatives Varner, Cochrane, and Lambeth:

H. B. 2, A BILL TO BE ENTITLED AN ACT TO PROHIBIT ANNEXATION INTO DAVIDSON COUNTY BY ANY GOVERNMENTAL UNIT LOCATED OUTSIDE OF DAVIDSON COUNTY, AND TO PROHIBIT ANNEXATION OF NONCONTIGUOUS TERRITORY WITHIN DAVIDSON COUNTY, is referred to the Committee on Local Government No. 1.

By Representatives Spaulding, Adams, Ballance, Beard, Berry, Black, Blue, Brennan, Burnley, Clark, Cook, Creecy, Diamont, Easterling, Economos, Edwards, Foster, Gist, Hackney, Hauser, Holt, C. Hughes, Jeralds, Jordan, Kennedy, Locks, Miller, Payne, Pulley, Roberts, Tennille, and Varner:

H. B. 3, A BILL TO BE ENTITLED AN ACT TO DECLARE MARTIN LUTHER KING, JR.'S BIRTHDAY TO BE A LEGAL PUBLIC HOLIDAY.

On motion of Representative Spaulding, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading by electronic vote (107-3) and without objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

By Representatives Fenner, Barbee, Matthews, and Mavretic:

H. B. 4, A BILL TO BE ENTITLED AN ACT TO SCHEDULE THE REGULAR PRIMARY AND GENERAL ELECTION IN WILSON COUNTY FOR MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS NOT CONDUCTED IN 1982 DUE TO DELAY CAUSED BY SUBMISSIONS TO UNITED STATES DEPARTMENT OF JUSTICE.

On motion of Representative Fenner, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading and without objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

By Representatives Lilley, Beall, Holt, and Jordan:

H. B. 5, A BILL TO BE ENTITLED AN ACT TO TRANSFER RESPONSIBILITY FOR COLLECTING INCOME AND FRANCHISE TAXES ON SAVINGS AND LOAN ASSOCIATIONS FROM THE SAVINGS AND LOAN DIVISION OF THE DEPARTMENT OF COMMERCE TO THE DEPARTMENT OF REVENUE, is referred to the Committee on Finance.

By Representatives Lilley, Beall, Holt, and Jordan:

H. B. 6, A BILL TO BE ENTITLED AN ACT TO ALLOW THE SECRETARY OF REVENUE TO MAKE CONTRACTS CONCERNING THE HANDLING OF BULK MAIL, is referred to the Committee on State Government.

By Representatives Lilley, Beall, Holt, and Jordan:

H. B. 7, A BILL TO BE ENTITLED AN ACT REGARDING THE DISTRIBUTION OF INTANGIBLE TAX REVENUE COLLECTED DURING FISCAL YEAR 1982-83, is referred to the Committee on Finance.

By Representatives Lilley, Beall, Holt, and Jordan:

H. B. 8, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN OPTIONAL PRIVILEGE LICENSE TAX FOR PERSONS ENGAGED IN RETAIL VARIETY SALES BUSINESSES FOR WHICH PRIVILEGE LICENSES ARE REQUIRED, is referred to the Committee on Finance.

By Representatives Lilley, Beall, Holt, and Jordan:

H. B. 9, A BILL TO BE ENTITLED AN ACT TO UPDATE THE SALES TAX EXEMPTION FOR MEDICAL EQUIPMENT, is referred to the Committee on Finance.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. J. R. 2, A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR JAMES B. HUNT, JR., THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES AT 7:00 P.M., MONDAY, JANUARY 17, 1983.

COMMITTEE APPOINTMENTS

The following Committees are announced by the Speaker:

BANKS AND THRIFT INSTITUTIONS: Representative Evans, Chairman; Representatives Black, Pulley, Rabon, and Thomas, Vice Chairmen; Representatives Adams, Ballance, Beam, Berry, Brannan, Brawley, Brubaker, Coble, Colton, Cook, Diamont, Fletcher, Gillam, Gist, Holt, Holmes, Matthews, Murphy, Musselwhite, Payne, Robinson, Seymour, Tennille, Warren, and Womble.

COMMERCIAL FISHING: Representative Chapin, Chairman; Representative Fulcher, Vice Chairman; Representatives Anderson, Bruce Ethridge, Evans, Gillam, C. Hughes, James, Lambeth, Locks, Rhodes, Spoon, Stamey, and Tyndall.

COMMISSIONS AND SCHOOLS FOR THE BLIND AND DEAF: Representative Fenner , Chairman; Representatives Mauney and Varner, Vice Chairmen; Representatives Barnes, Brown, Bruce Ethridge, Fussell, Greenwood, Lancaster, and B. Woodard.

CONSTITUTIONAL AMENDMENTS: Representative Holt, Chairman; Representatives Beard, James, Nesbitt, and Spaulding, Vice Chairmen; Representatives Brennan, Bundy, Colton, Easterling, Foster, Helms, J. Hughes, Jeralds, Keesee, Kennedy, McDowell, Poovey, Roberts, and Watkins.

CORPORATIONS: Representative Hayden, Chairman; Representatives Lambeth and Musselwhite, Vice Chairmen; Representatives Auman, Barker, Barbee, Beard, Berry, Brawley, Hauser, Jordan, Ligon, Redding, and Rhodes.

CORRECTIONS: Representative McDowell, Chairman; Representatives Beam, Chapin, Creecy, and Hackney, Vice Chairmen; Representatives Allran, Auman, Brannan, Cochrane, N. J. Crawford, Gillam, Grimsley, Hunter, Lacey, Lancaster, Lee, Spoon, Varner, Warren, and Womble.

COURTS AND ADMINISTRATION OF JUSTICE: Representative Helms, Chairman; Representatives Payne, Watkins, and Wicker, Vice Chairmen; Representatives Allran, Ballance, Clark, Coble, Gillam, Hackney, Holmes, C. Hughes, Hunter, Huskins, Kennedy, Lee, Matthews, Musselwhite, Nesbitt, Roberts, Spaulding, and Wright.

CULTURAL RESOURCES: Representative Colton, Chairman; Representatives Cook, Diamont, and Lambeth, Vice Chairmen; Representatives Burnley, Chapin, DeVane, Huskins, Jarrell, Mauney, Rabon, and Rhodes.

ECONOMY: Representative Anderson, Chairman; Representatives Church, Fulcher, and Tennille, Vice Chairmen; Representatives Adams, Beard, Brubaker, Coble, Cook, Diamont, Easterling, Bob Etheridge, Greenwood, Hightower, Huskins, Nash, Spaulding, and Watkins.

EDUCATION: Representative Foster, Chairman; Representatives Brannan, Chapin, Fussell, and Mauney, Vice Chairmen; Representatives Auman, Barker, Blue, Bowen, Bundy, Burnley, Childress, Cochrane, Diamont, Edwards, Bob Etheridge, Bruce Ethridge, Fenner, Fulcher, Hauser, Hayden, Jarrell, Jeralds, Keesee, Lee, Mavretic, Owens, Redding, Rhodes, Stamey, Tyndall, Warren, Womble, and C. Woodard.

ELECTION LAWS: Representative Gentry, Chairman; Representatives N. J. Crawford, Hunter, and McAlister, Vice Chairmen; Representatives Adams, Ballance, Barnes, Beall, Blue, Brannan, Brubaker, Bundy, Burnley, Enloe, Fletcher, Murphy, Poovey, Spaulding, Watkins, and Wicker.

EMPLOYMENT SECURITY: Representative Enloe, Chairman; Representatives Cook, Quinn, and Rabon, Vice Chairmen; Representatives Adams, Beam, Chapin, Childress, Clark, Gist, Kennedy, Lacey, Ligon, Robinson, Varner, B. Woodard, and Wright.

ENERGY: Representative Hackney, Chairman; Representative Greenwood, Vice Chairman; Representatives Brannan, Chapin, Cook, Easterling, Economos, Fussell, Hunt, Jordan, Kennedy, Matthews, Mauney, and Rabon.

GOVERNMENTAL ETHICS: Representative Easterling, Chairman; Representatives Fenner, Holt, Lancaster, and Miller, Vice Chairmen; Representatives Auman, Barker, Berry, Brawley, Burnley, Colton, Evans, C. Hughes, Keesee, Locks, Lutz, and Womble.

HEALTH: Representative B. Woodard, Chairman; Representatives Beam, Economos, Enloe, and Seymour, Vice Chairmen; Representatives Anderson, Barnes, Black, Blue, Brubaker, Colton, DeVane, Fenner, Gillam, Grimsley, Hayden, Jarrell, Ligon, Locks, Quinn, Robinson, Slaughter, Tyson, Varner, Watkins, and Womble.

HIGHER EDUCATION: Representative Thomas, Chairman; Representatives Helms, McDowell, and Warren, Vice Chairmen; Representatives Beall, Brennan, Bundy, Church, Coble, Cochrane, J. W. Crawford, N. J. Crawford, Edwards, Fulcher, Fussell, Hackney, Hauser, C. Hughes, Lee, Mauney, Murphy, Payne, and Rabon.

HIGHWAY SAFETY: Representative Fussell, Chairman; Representatives Bumgardner, Lancaster, and Wicker, Vice Chairmen; Representatives Auman, Childress, Church, Coble, Creecy, Economos, Grimsley, Hunter, Lambeth, Mavretic, Payne, Redding, Slaughter, Spoon, Stamey, and B. Woodard.

HUMAN RESOURCES: Representative Brennan, Chairman; Representatives Beam, Colton, and Varner, Vice Chairmen; Representatives Auman, Economos, Edwards, Bruce Ethridge, Greenwood, Grimsley, Hauser, Jeralds, Keesee, Ligon, Locks, Lutz, Owens, Tennille, Thomas, and C. Woodard.

INSURANCE: Representative Hightower, Chairman; Representatives Clark and Miller, Vice Chairmen; Representatives Anderson, Ballance, Beall, Beard, Blue, Brawley, Creecy, Foster, Gentry, Hasty, Holmes, J. Hughes, Lacey, Lee, Lutz, Murphy, Seymour, and Tyson.

JUDICIARY NO. 1: Representative Miller, Chairman; Representatives Musselwhite, Nesbitt, and Payne, Vice Chairmen; Representatives Coble, J.W. Crawford, Easterling, Hackney, Helms, J. Hughes, Kennedy, and Seymour.

JUDICIARY NO. 2: Representative Wright, Chairman; Representatives Clark, and Spaulding, Vice Chairmen; Representatives Allran, Burnley, DeVane, Economos, Fenner, Jarrell, Roberts, Spoon, Stamey, Wicker, and C. Woodard.

JUDICIARY NO. 3: Representative Lancaster, Chairman; Representatives Blue and Evans, Vice Chairmen; Representatives Adams, Black, Bumgardner, Hasty, Holt, Hudson, Mavretic, Quinn, Redding, Slaughter, Thomas, Warren, and B. Woodard.

JUDICIARY NO. 4: Representative Pulley, Chairman; Representatives Hunter and Watkins, Vice Chairmen; Representatives Ballance, Beam, Brennan, Cook, Gillam, Holmes, Lee, Matthews, and Tennille.

On motion of Representative Hunt, seconded by Representative Nash, the House adjourns to reconvene January 14, 1983 at 10:00 a.m.

THIRD DAY

HOUSE OF REPRESENTATIVES
Friday, January 14, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Dr. Albert G. Edwards, Pastor of First Presbyterian Church, Raleigh, North Carolina.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of January 13 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Allran and Rhodes for today.

The following oath of office was administered today to Mr. Martin L. Nesbitt, by the Honorable Liston B. Ramsey, Speaker of the House of Representatives.

"I, Martin L. Nesbitt, do solemnly swear that I will support the Constitution and laws of the United States; and,

"I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain, and defend the Constitution of said State, not inconsistent with the Constitution of the United States; to the best of my knowledge and ability; and,

"I do solemnly swear that I will faithfully discharge my duties as a Member of the 1983 House of Representatives of the General Assembly of the State of North Carolina to the best of my skill and ability; so help me, God."

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Poovey:

H. B. 10, A BILL TO BE ENTITLED AN ACT GIVING THE POWER OF ARREST TO CERTAIN FORMER LAW ENFORCEMENT OFFICERS, is referred to the Committee on Law Enforcement.

By Representative Poovey:

H. B. 11, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR REFUSING TO SUBMIT TO CHEMICAL TESTS AND FOR DRIVING UNDER THE INFLUENCE OF LIQUOR OR DRUGS, is referred to the Committee on Judiciary No. 3.

By Representatives Mavretic, Brennan, Brown, Church, Economos, Bruce Ethridge, Hightower, C. Hughes, and Payne:

H. B. 12, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF LANDFILLING FOR CERTAIN CLASSES OF HAZARDOUS WASTES AND OTHER SOLID WASTES, is referred to the Committee on Water and Air Resources.

By Representative Beam:

H. B. 13, A BILL TO BE ENTITLED AN ACT TO DECRIMINALIZE THE FIRST OFFENSE OF DRIVING UNDER THE INFLUENCE OF ALCOHOL AND TO PROVIDE FOR ADMINISTRATIVE PENALTIES, is referred to the Committee on Judiciary No. 3.

By Representative Beall:

H. B. 14, A BILL TO BE ENTITLED AN ACT TO CONFORM STATE LAW ON LEGISLATORS' INCOME TAX DEDUCTIONS FOR BUSINESS EXPENSES TO FEDERAL LAW, is referred to the Committee on Finance.

By Representative Beall:

H. B. 15, A BILL TO BE ENTITLED AN ACT TO ALLOW HAYWOOD COUNTY HOSPITAL TO OBTAIN SEMIANNUAL REFUNDS OF SALES AND USE TAXES INSTEAD OF ANNUAL REFUNDS, is referred to the Committee on Finance.

By Representatives Lilley, Beall, Holt, and Jordan:

H. J. R. 16, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO CONTINUE TO STUDY THE REVENUE LAWS OF NORTH CAROLINA, is referred to the Committee on Rules and Operation of the House.

By Representatives Lilley, Beall, Holt, C. Hughes, and Jordan:

H. B. 17, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT ORGANIZATIONS THAT ARE EXEMPT FROM FEDERAL INCOME TAX ARE ALSO EXEMPT FROM STATE CORPORATE INCOME AND FRANCHISE TAX, is referred to the Committee on Finance.

By Representatives Lilley, Beall, Holt, and Jordan:

H. B. 18, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM AMOUNT OF THE BOND REQUIRED OF DISTRIBUTORS OF MOTOR FUEL AND SUPPLIERS OF SPECIAL FUEL, AND TO REQUIRE PERSONS WHO ARE BOTH DISTRIBUTORS AND SUPPLIERS TO FILE A BOND SUFFICIENT TO COVER BOTH LIABILITIES, is referred to the Committee on Finance.

By Representatives Lilley, Beall, Holt and Jordan:

H. B. 19, A BILL TO BE ENTITLED AN ACT TO ALLOW LESSORS OF MOTOR VEHICLES TO ASSUME PRIMARY RESPONSIBILITY FOR PAYMENT OF THE SPECIAL FUELS AND HIGHWAY USE TAXES, is referred to the Committee on Finance.

By Representatives Lilley, Beall, Holt, and Jordan:

H. B. 20, A BILL TO BE ENTITLED AN ACT TO TAX ALL INCOME OF AN EXEMPT CORPORATION THAT IS UNRELATED TO THE BASIS OF THE CORPORATION'S EXEMPTION, is referred to the Committee on Finance.

By Representative Hackney:

H. B. 21, A BILL TO BE ENTITLED AN ACT TO REMOVE THE DEFENSE OF UNLAWFUL ARREST IN CASES OF RESISTING ARREST, is referred to the Committee on Judiciary No. 1.

COMMITTEE APPOINTMENTS

The following committees are announced by the Speaker:

LAW ENFORCEMENT: Representative Wicker, Chairman; Representatives Brannan and Hackney, Vice Chairmen; Representatives Ballance, Bowen, DeVane, Hasty, C. Hughes, Hunt, Nash, Nesbitt, Owens, Pool, Redding, Roberts, Slaughter, Stamey, Womble, and C. Woodard.

LOCAL GOVERNMENT NO. 1: Representative Lilley, Chairman; Representatives Brannan, Gillam, and Hayden, Vice Chairmen; Representatives Allran, Barbee, Barnes, Berry, Bowen, Cochrane, J. W. Crawford, Edwards, Fletcher, Hudson, Lacey, McAlister, Owens, Pool, Pulley, and Warren.

LOCAL GOVERNMENT NO. 2: Representative Lutz, Chairman; Representatives Church, Colton, and Helms, Vice Chairmen; Representatives Bundy, Childress, DeVane, Easterling, Enloe, Gentry, Hasty, Holmes, J. Hughes, Jarrell, Keesee, Murphy, Nesbitt, Rhodes, Roberts, Seymour, and Spaulding.

MANUFACTURERS AND LABOR: Representative Rabon, Chairman; Representatives Easterling, Musselwhite, and Pulley, Vice Chairmen; Representatives Adams, Allran, Barnes, Beall, Berry, Blue, Brannan, Clark, Cochrane, Diamont, Gist, Hasty, McDowell, Payne, Quinn, Roberts, and Robinson.

MENTAL HEALTH: Representative Barker, Chairman; Representatives Beard, Brennan, Economos, and Fenner, Vice Chairmen; Representatives Barnes, Beam, Berry, Burnley, Cook, J. W. Crawford, Creecy, Edwards, Fletcher, Fulcher, Greenwood, Grimsley, Hauser, Hayden, Keesee, Lutz, Nash, Pool, Spoon, Tyndall, Varner, and C. Woodard.

MILITARY AND VETERANS' AFFAIRS: Representative Varner, Chairman; Representatives Black, Hunt, Greenwood, and Wright, Vice Chairmen; Representatives Barker, Brown, Bumgardner, Edwards, Enloe, Foster, Jarrell, Jeralds, Jordan, Lacey, Lancaster, Lilley, Poovey, Robinson, Spoon, Tyndall, Wicker, and C. Woodard.

NATURAL AND ECONOMIC RESOURCES: Representative Bruce Ethridge, Chairman; Representatives Anderson and McDowell, Vice Chairmen; Representatives Chapin, Cochrane, Edwards, Fletcher, Fulcher, Hackney, Holt, Jeralds, Keesee, Locks, Owens, and Redding.

PENSIONS AND RETIREMENT: Representative Mavretic, Chairman; Representatives Bundy and Bob Etheridge, Vice Chairmen; Representatives Allran, Foster, Hunter, Nesbitt, Rhodes, and Tyndall.

PUBLIC UTILITIES: Representative Seymour, Chairman; Representatives Barker, Payne, Tennille, and Tyson, Vice Chairmen; Representatives Beall, Berry, Black, Bowen, Bumgardner, Burnley, J. W. Crawford, Bob Etheridge, Evans, Fulcher, Hasty, J. Hughes, Huskins, James, Jordan, Lee, Locks, Matthews, Mauney, Miller, Murphy, Musselwhite, Quinn, Rabon, Robinson, Tyndall, and Wright.

RULES AND OPERATION OF THE HOUSE: Representative Hunt, Chairman; Representatives Adams, Barbee, Blue, Quinn, Wright, Vice Chairmen; Representatives Beall, Beam, Beard, Black, N. J. Crawford, Church, DeVane, Diamont, Bob Etheridge, Evans, Holmes, Hunter, Huskins, James, Lambeth, Locks, McAlister, McDowell, Mavretic, Miller, Payne, Spoon, Tennille, and Warren.

SMALL BUSINESS: Representative Nesbitt, Chairman; Representatives Barbee and Bob Etheridge, Vice Chairmen; Representatives Brawley, Childress, J. W. Crawford, Fletcher, Gist, Hauser, Hudson, Jeralds, Ligon, Matthews, Musselwhite, Pool, Slaughter, Watkins, and Wicker.

STATE GOVERNMENT: Representative Church, Chairman; Representatives Hightower, Huskins, and Thomas, Vice Chairmen; Representatives Barbee, Brown, Bumgardner, J. W. Crawford, N. J. Crawford, Evans, Fenner, Gist, Hasty, Holt, Kennedy, Poovey, and Stamey.

STATE PERSONNEL: Representative Jordan, Chairman; Representatives Brennan, Bundy, Fussell, and B. Woodard, Vice Chairmen; Representatives Blue, Brubaker, Childress, Enloe, Fletcher, Holmes, Poovey, and Roberts.

STATE PROPERTIES: Representative Tyson, Chairman; Representatives Gentry, McAlister, and Nash, Vice Chairmen; Representatives Bowen, Brawley, Hudson, Musselwhite, and Owens.

TRANSPORTATION: Representative Bumgardner, Chairman; Representatives Enloe, Hunt, Mavretic, and Nash, Vice Chairmen; Representatives Auman, Barbee, Beall, Bowen, Brown, Church, N. J. Crawford, Creecy, Bob Etheridge, Gentry, Hayden, Hightower, Hudson, J. Hughes, Hunter, Huskins, James, Jarrell, Lacey, Lilley, McAlister, Poovey, Slaughter, and Wicker.

UNIVERSITY BOARD OF GOVERNORS NOMINATING COMMITTEE: Representative Auman, Chairman; Representatives N. J. Crawford, Foster, Huskins, and Seymour, Vice Chairmen; Representatives Ballance, Barbee, Black, Brubaker, Bumgardner, Bundy, Childress, Cochrane, DeVane, Gist, Hunt, Kennedy, McDowell, Miller, Murphy, Rhodes, Spaulding, Tennille, and Thomas.

WATER AND AIR RESOURCES: Representative McAlister, Chairman; Representatives Diamont, Bruce Ethridge, James, and Tyson, Vice Chairmen; Representatives Anderson, Brown, Clark, Hightower, Hudson, Ligon, Lilley, Mavretic, Nash, Owens, Pool, Pulley, and Redding.

WILDLIFE RESOURCES: Representative Lambeth, Chairman; Representatives Creecy, Gentry, and Lilley, Vice Chairmen; Representatives Anderson, Barker, Brown, Helms, Hightower, C. Hughes, J. Hughes, Mauney, Poovey, Tyndall, Watkins, and Womble.

On motion of Representative Hunt, seconded by Representative Beall, the House adjourns to reconvene Monday, January 17, 1983 at 6:30 p.m.

FOURTH DAY

HOUSE OF REPRESENTATIVES
Monday, January 17, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Foster.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of January 14 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Burnley for today.

The following oath of office was administered today to Margaret P. Keesee-Forrester by the Honorable Liston B. Ramsey, Speaker of the House of Representatives:

"I, Margaret P. Keesee-Forrester, do solemnly swear or affirm that I will support the Constitution and laws of the United States; and,

"I do solemnly and sincerely swear or affirm that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain, and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and,

"I do solemnly swear or affirm that I will faithfully discharge my duties as a Member of the 1983 House of Representatives of the General Assembly of the State of North Carolina, to the best of my skill and ability, so help me, God."

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Fussell, Beall, Blue, Brawley, Brennan, Church, Cook, N. J. Crawford, Diamont, Easterling, Economos, Enloe, Bruce Ethridge, Evans, Fenner, Foster, Fulcher, Greenwood, Hayden, Hunter, Lancaster, Matthews, Miller, Musselwhite, Rabon, Redding, Stamey, and Wicker.

H. B. 22, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR INCREASED EMPHASIS ON DRIVERS EDUCATION AND DRIVING UNDER THE INFLUENCE OF ALCOHOL AND DRUGS, is referred to the Committee on Highway Safety.

By Representatives Barnes and Hackney:

H. B. 23, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A BEGINNING DATE FOR THE ORANGE COUNTY PARCEL IDENTIFIER INDEX, is referred to the Committee on Local Government No. 1.

By Representatives Hackney and Barnes:

H. B. 24, A BILL TO BE ENTITLED AN ACT TO PROVIDE ALTERNATIVE BEGINNING DATES FOR PARCEL IDENTIFIER INDEXES, is referred to the Committee on Judiciary No. 1.

By Representative Barbee:

H. B. 25, A BILL TO BE ENTITLED AN ACT TO EXPAND THE MEMBERSHIP OF THE ADVISORY BUDGET COMMISSION, is referred to the Committee on Rules and Operation of the House.

By Representative Barbee:

H. B. 26, A BILL TO BE ENTITLED AN ACT TO ALLOW OPERATION OF A SNACK BAR AND CAFETERIA IN THE STATE LEGISLATIVE BUILDING AND DELETE THE AUTHORIZATION FOR CONCESSION STANDS IN THE STATE CAPITOL WHILE THE LEGISLATURE IS IN SESSION, is referred to the Committee on Rules and Operation of the House.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 3, AN ACT TO DECLARE MARTIN LUTHER KING, JR.'S BIRTHDAY TO BE A LEGAL PUBLIC HOLIDAY.

H. B. 4, AN ACT TO SCHEDULE THE REGULAR PRIMARY AND GENERAL ELECTION IN WILSON COUNTY FOR MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS NOT CONDUCTED IN 1982 DUE TO DELAY CAUSED BY SUBMISSIONS TO UNITED STATES DEPARTMENT OF JUSTICE.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
January 14, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body that pursuant to S. J. R. 2, A JOINT RESOLUTION INVITING HIS EXCELLENCY, THE GOVERNOR, TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES AT 7:00 P.M., MONDAY, JANUARY 17, 1983, in the Hall of the House, the President appoints as a committee on the part of the Senate to escort the Governor to the Joint Session, Senator Russell Walker, Chairman and Senator Helen Marvin.

Respectfully,
S/ SYLVIA M. FINK
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
January 17, 1983

Mr. Speaker:

It is ordered that a message be sent your honorable body that pursuant to S. J. R. 2, A JOINT RESOLUTION INFORMING HIS EXCELLENCY, GOVERNOR JAMES B. HUNT, JR., THAT THE GENERAL ASSEMBLY IS ORGANIZED AND READY TO PROCEED WITH PUBLIC BUSINESS AND INVITING THE GOVERNOR TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES AT 7:00 P. M., MONDAY, JANUARY 17, 1983, the Senate stands ready to repair to the Hall of the House, there to sit in Joint Session with your Honorable Body.

Respectfully,
S/ SYLVIA M. FINK
Principal Clerk

The Speaker orders a message sent to the Senate informing that Honorable Body that the House of Representatives stands ready to receive them in Joint Session at the hour appointed.

The Sergeant-at-Arms is recognized and he announces the approach of the members of the Council of State who are seated in a body for the Joint Session.

The Sergeant-at-Arms is recognized and he announces the approach of the members of the Governor's Cabinet who are seated in a body for the Joint Session.

The Sergeant-at-Arms is recognized and he announces the approach of the Chief Justice and the Associate Justices of the Supreme Court and the Judges of the Court of Appeals who are seated in a body for the Joint Session.

The Speaker extends the courtesies of the floor to the family of the Governor.

JOINT SESSION

Pursuant to resolution heretofore adopted and exchange of messages, the Sergeant-at-Arms of the House of Representatives announces the arrival of the Senate at the door of the House. The Speaker directs the admittance and seating of that Honorable Body. The President of the Senate, the Honorable James C. Green, is seated to the right of the Speaker and is presented the gavel.

The Joint Session is called to order by the President.

The Sergeant-at-Arms of the House announces the approach of the Governor. His Excellency enters escorted by Senators Walker and Marvin and Representatives Barbee, Fenner, Mavretic and Matthews.

The President recognizes Senator Walker who presents his Excellency James B. Hunt, Jr., Governor of North Carolina, to the Joint Assembly.

(In accordance with S. J. R. 2, the full text of his address can be found in the Appendix.)

Upon completion of his address, the Governor, joined by the escort committee, leaves the Hall of the House.

On motion of Senator Lawing, the Joint Session is dissolved and the Senate returns to its Chamber.

On motion of Representative Hunt, seconded by Representative Wicker, the House adjourns to reconvene January 18, 1983 at 1:00 p.m.

FIFTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, January 18, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Lambeth.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of January 17 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Beard, Locks, and Nash for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Hunt:

H. R. 27, A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE 1983 SESSION OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES, is referred to the Committee on Rules and Operation of the House.

On motion of Representative Hunt, seconded by Representative Beam, the House adjourns to reconvene January 19, 1983 at 1:30 p.m.

SIXTH DAY

House of Representatives
Wednesday, January 19, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative C. R. Edwards.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of January 18 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Beard and B. Woodard for today.

The Speaker makes the following announcement concerning the death of Representative Sam D. Bundy.

"Ladies and gentlemen of the House, we meet today on a note of great sadness. Our distinguished colleague from the 9th District, Representative Sam D. Bundy, passed away suddenly this morning.

"I have lost a good friend, and so have you. Sam Bundy was a man of wit and charm who endeared himself to all who knew him.

"Sam Bundy was also an exceptionally fine public servant. Over the years, I have known very few members of this General Assembly who were more dedicated to the well-being of the people of their District and their State.

"His death is a loss not only to the citizens of Pitt and Greene Counties, whom he represented since 1971, but to the citizens of North Carolina as a whole.

"He was serving by my appointment as a member of the Advisory Budget Commission. His accumulated wisdom, experience and common sense made him one of the most valuable members of that all-important body.

"Representative Bundy was a gentleman and a scholar.

"We shall miss him.

"We extend to his wife Bettie and other members of the family our heart-felt sympathy.

"Funeral arrangements are yet to be completed but will be announced to you as soon as available.

"The Chair would like to appoint as official representatives at the funeral the following members of the House: Representatives Ed Warren, Gerald Anderson, Allen Barbee, Chris Barker, Howard Chapin, Jeanne Fenner, John Gillam, Dan Lilley, Tom Matthews, Joe Mavretic, and Malcolm Fulcher."

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Lilley, Beall, Holt, C. Hughes, and Jordan:

H. B. 28, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN UNLIMITED GIFT TAX EXCLUSION FOR CERTAIN EDUCATIONAL AND MEDICAL PAYMENTS, is referred to the Committee on Finance.

By Representative Auman:

H. B. 29, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT VACANCIES ON THE MOORE COUNTY BOARD OF EDUCATION BE FILLED BY THAT BOARD, RATHER THAN BY THE COUNTY COMMISSIONERS, is referred to the Committee on Local Government No. 1.

By Representative Auman:

H. B. 30, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE OFFICE OF CORONER IN MOORE COUNTY SUBJECT TO A REFERENDUM, is referred to the Committee on Local Government No. 1.

By Representatives Huskins and Barker:

H. B. 31, A BILL TO BE ENTITLED AN ACT TO REPEAL SECTION 2 OF CHAPTER 1399 OF THE 1981 SESSION LAWS, is referred to the Committee on Health.

By Representatives Adams and Watkins:

H. B. 32, A BILL TO BE ENTITLED AN ACT TO MAKE APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, is referred to the Committee on Appropriations.

By Representatives Roberts, Beam, Bumgardner, and Mauney:

H. B. 33, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A NEW DISTRICT COURT JUDGE IN THE TWENTY-SEVENTH-A JUDICIAL DISTRICT, is referred to the Committee on Courts and Administration of Justice.

By Representatives Roberts, Beam, Bumgardner, and Mauney:

H. B. 34, A BILL TO BE ENTITLED AN ACT TO PROVIDE BELMONT ABBEY WITH ONE COPY OF VARIOUS STATE PUBLICATIONS AS THEY ARE PUBLISHED, is referred to the Committee on State Government.

By Representative Hackney:

H. B. 35, A BILL TO BE ENTITLED AN ACT TO REPEAL CERTAIN OBSOLETE CRIMINAL STATUTES REGARDING VAGRANCY AND TRAMPS, is referred to the Committee on Judiciary No. 1.

By Representative Hackney:

H. B. 36, A BILL TO BE ENTITLED AN ACT TO REPEAL CERTAIN OBSOLETE CRIMINAL STATUTES REGARDING DISTURBANCES, is referred to the Committee on Judiciary No. 1.

By Representative Hackney:

H. B. 37, A BILL TO BE ENTITLED AN ACT TO REPEAL CERTAIN OBSOLETE CRIMINAL STATUTES REGARDING JAIL CONFINEMENTS, is referred to the Committee on Judiciary No. 1.

By Representative Hackney:

H. B. 38, A BILL TO BE ENTITLED AN ACT TO REPEAL CERTAIN OBSOLETE CRIMINAL STATUTES REGARDING LANDLORDS AND TENANTS, is referred to the Committee on Judiciary No. 1.

By Representatives Chapin, Church, J. W. Crawford, Bob Etheridge, Evans, C. Hughes, Lancaster, McAlister, Mauney, Miller, Owens, Tyndall, and Wright.

H. B. 39, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF CORRECTION TO REIMBURSE COUNTIES FOR JAILED FEMALE INMATES, is referred to the Committee on Corrections.

On motion of Representative Hunt, seconded by Representative Warren, the House adjourns in honor and memory of Representative Sam D. Bundy to reconvene January 20, 1983 at 1:30 p.m.

SEVENTH DAY

HOUSE OF REPRESENTATIVES
Thursday, January 20, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

The following remarks and a prayer are offered by Representative Womble:

"Sam D. Bundy was a family man, educator, civic leader, T. V. personality, and churchman.

"George Bernard Shaw said, 'They die when they are 30 but are not buried until they are 70.' We can all choose to vegetate and barely exist for years. Not true with Sam Bundy!

"Proverbs 10:5 is a word Sam Bundy obviously took to heart, 'He that gathereth in summer is a wise son: but he that sleepeth in harvest is a son that causeth shame.' As a member of the Pitt County farm community, Sam Bundy knew what those words meant.

"Representative Bundy was wise enough to gather the fruits in the summer of life and never to be lazy or apathetic in the fall. Sam Bundy stands before the Master as one who had toiled and carries his credentials with honor.

"It has been said by many that he could, in the most tense of moments, bring laughter and a new mood to this Assembly; so I am sure that today the Lord has placed him in charge of all the debates of the Adams' and Coble's in heaven.

"The N. C. General Assembly is the weaker and heaven is the stronger at the passing of Sam D. Bundy!"

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of January 19 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Ballance, Rhodes, and Wicker for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Quinn for the Committee on Finance:

H. B. 5, A BILL TO BE ENTITLED AN ACT TO TRANSFER RESPONSIBILITY FOR COLLECTING INCOME AND FRANCHISE TAXES ON SAVINGS AND LOAN ASSOCIATIONS FROM THE SAVINGS AND LOAN DIVISION OF THE DEPARTMENT OF COMMERCE TO THE DEPARTMENT OF REVENUE, with a favorable report, to be placed on the Calendar for January 24, 1983.

H. B. 7, A BILL TO BE ENTITLED AN ACT REGARDING THE DISTRIBUTION OF INTANGIBLE TAX REVENUE COLLECTED DURING FISCAL YEAR 1982-83, with a favorable report, to be placed on the Calendar for January 24, 1983.

H. B. 8, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN OPTIONAL PRIVILEGE LICENSE TAX FOR PERSONS ENGAGED IN RETAIL VARIETY SALES BUSINESSES FOR WHICH PRIVILEGE LICENSES ARE REQUIRED, with a favorable report, to be placed on the Calendar for January 24, 1983.

H. B. 15, A BILL TO BE ENTITLED AN ACT TO ALLOW HAYWOOD COUNTY HOSPITAL TO OBTAIN SEMIANNUAL REFUNDS OF SALES AND USE TAXES INSTEAD OF ANNUAL REFUNDS, with a favorable report, as amended, to be placed on the Calendar for January 24, 1983.

H. B. 17, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT ORGANIZATIONS THAT ARE EXEMPT FROM FEDERAL INCOME TAX ARE ALSO EXEMPT FROM STATE CORPORATE INCOME AND FRANCHISE TAX, with a favorable report, to be placed on the Calendar for January 24, 1983.

H. B. 19, A BILL TO BE ENTITLED AN ACT TO ALLOW LESSORS OF MOTOR VEHICLES TO ASSUME PRIMARY RESPONSIBILITY FOR PAYMENT OF THE SPECIAL FUELS AND HIGHWAY USE TAXES, with a favorable report, to be placed on the Calendar for January 24, 1983.

By Representative Miller for the Committee on Judiciary No. 1:

H. B. 24, A BILL TO BE ENTITLED AN ACT TO PROVIDE ALTERNATIVE BEGINNING DATES FOR PARCEL IDENTIFIER INDEXES, with a favorable report, as amended, to be placed on the Calendar for January 24, 1983.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Economos, Beall, Bowen, Cook, Diamont, Easterling, Bruce Ethridge, Foster, Fussell, Gillam, Grimsley, Hauser, Hayden, Jordan, Ligon, Lutz, Mauney, Spaulding, Stamey, Thomas, Tyson, and C. Woodard:

H. B. 40, A BILL TO BE ENTITLED AN ACT TO SUBJECT NURSING HOME BEDS IN HOSPITALS TO THE NURSING HOME PATIENTS BILL OF RIGHTS, is referred to the Committee on Aging.

By Representatives Economos, Beall, Bowen, Cook, Diamont, Easterling, Bruce Ethridge, Foster, Fussell, Gillam, Grimsley, Hayden, C. Hughes, Jordan, Ligon, Mauney, Spaulding, Stamey, Thomas, Tyson, and C. Woodard:

H. J. R. 41, A JOINT RESOLUTION REQUESTING THAT THE GOVERNOR OF NORTH CAROLINA CONSIDER THE APPOINTMENT OF ELDERLY CITIZENS TO STATE BOARDS AND COMMISSIONS IN FAIR PROPORTION TO THEIR POPULATION WITH THE STATE OF NORTH CAROLINA, is referred to the Committee on Rules and Operation of the House.

By Representatives Economos, Beall, Bowen, Diamont, Easterling, Bruce Ethridge, Foster, Gillam, Grimsley, Hauser, Hayden, Jordan, Ligon, Lutz, Mauney, Stamey, Thomas, and Tyson:

H. B. 42, A BILL TO BE ENTITLED AN ACT TO AMEND DOMICILIARY HOME COMMUNITY ADVISORY COMMITTEES, is referred to the Committee on Aging.

By Representatives Economos, Beall, Bowen, Diamont, Easterling, Bruce Ethridge, Foster, Fulcher, Fussell, Gillam, Grimsley, Hauser, Hayden, Jordan, Ligon, Lutz, Mauney, Stamey, Thomas, Tyson, and C. Woodard:

H. B. 43, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN CHANGES IN THE GOVERNOR'S ADVISORY COUNCIL ON AGING, is referred to the Committee on Aging.

By Representatives Economos, Beall, Bowen, Cook, Diamont, Easterling, Bruce Ethridge, Foster, Gillam, Grimsley, Hayden, C. Hughes, Jordan, Lutz, Mauney, Stamey, Thomas, Tyson, and C. Woodard:

H. J. R. 44, A JOINT RESOLUTION TO PERMIT THE CONTINUANCE OF THE WORK OF THE LEGISLATIVE RESEARCH COMMISSION'S STUDY ON THE PROBLEMS OF AGING AS BEGUN UNDER RESOLUTION 86 OF THE 1977 SESSION AS AMENDED BY RESOLUTION 106 OF THE 1977 SESSION AND BY RESOLUTION 62 OF THE 1979 SESSION, AND AS REAUTHORIZED BY RESOLUTION 61 OF THE 1981 SESSION, is referred to the Committee on Rules and Operation of the House.

By Representatives Economos, Beall, Bowen, Cook, Diamont, Easterling, Bruce Ethridge, Foster, Gillam, Grimsley, Hauser, Hayden, C. Hughes, Jordan, Ligon, Lutz, Mauney, Stamey, Thomas, Tyson, and C. Woodard:

H. B. 45, A BILL TO BE ENTITLED AN ACT TO ALLOW AN INCOME TAX DEDUCTION FOR AMOUNTS PAID TO MAINTAIN CERTAIN PARENTS AGED 65 OR OVER, is referred to the Committee on Aging.

By Representatives Economos, Beall, Easterling, Bruce Ethridge, Gillam, Grimsley, Hauser, Hayden, C. Hughes, Jordan, Ligon, Mauney, Stamey, Thomas, and Tyson:

H. B. 46, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MEMBERS OF NURSING HOME COMMUNITY ADVISORY COMMITTEE MEMBERS MAY BE DEFENDED PURSUANT TO CHAPTER 143 OF THE GENERAL STATUTES, is referred to the Committee on Aging.

By Representatives Economos, Beall, Cook, Easterling, Bruce Ethridge, Gillam, Grimsley, Hauser, Hayden, C. Hughes, Jordan, Ligon, Mauney, Stamey, Thomas, Tyson, and C. Woodard:

H. B. 47, A BILL TO BE ENTITLED AN ACT CONCERNING USE OF SCHOOL BUSES BY SENIOR CITIZENS GROUPS, is referred to the Committee on Aging.

By Representatives Economos, Beall, Cook, Diamont, Easterling, Bruce Ethridge, Gillam, Hauser, Hayden, C. Hughes, Jordan, Ligon, Mauney, Stamey, Thomas, Tyson, and C. Woodard:

H. B. 48, A BILL TO BE ENTITLED AN ACT TO ELIMINATE MANDATORY RETIREMENT AT AGE 70 FOR PERSONS COVERED UNDER THE STATE EMPLOYEES OR LOCAL GOVERNMENT EMPLOYEES RETIREMENT SYSTEM, is referred to the Committee on Aging.

By Representatives Fenner, Barbee, Black, Brennan, Cook, Easterling, Hayden, Mauney, Slaughter, Thomas, and Wright:

H. J. R. 49, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY ESTABLISHMENT OF A STATE LOTTERY, is referred to the Committee on Rules and Operation of the House.

By Representatives Huskins, Beard, and Thomas:

H. B. 50, A BILL TO BE ENTITLED AN ACT TO INCREASE STATE SALES AND USE TAXES TO FOUR PERCENT AND TO SPECIFY HOW THE RESULTING INCREASE IN REVENUE SHALL BE USED, is referred to the Committee on Finance.

By Representatives Gillam, Ballance, Chapin, Evans, and James:

H. B. 51, A BILL TO BE ENTITLED AN ACT TO ADD A DISTRICT COURT JUDGE IN THE SECOND JUDICIAL DISTRICT, is referred to the Committee on Courts and Administration of Justice.

By Representatives Poovey, Coble, Cochrane, and C. Hughes:

H. B. 52, A BILL TO BE ENTITLED AN ACT TO ALLOW AN INCOME TAX DEDUCTION FOR CONTRIBUTIONS TO RADIO EMERGENCY ASSOCIATION OF CITIZENS TEAMS, is referred to the Committee on Finance.

By Representatives Miller, Adams, Beam, Helms, Hunter, Lancaster, Nesbitt, Ramsey, Tennille, Watkins, Wicker, and Wright:

H. B. 53, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS CONCERNING THE ADVISORY BUDGET COMMISSION AND OTHER BOARDS TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE ON SEPARATION OF POWERS, is referred to the Committee on Judiciary No. 1.

On motion of Representative Hunt, seconded by Representative Nash, the House adjourns to reconvene Friday, January 21 at 10:00 a.m.

EIGHTH DAY

HOUSE OF REPRESENTATIVES
Friday, January 21, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Lilley.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of January 20 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Brubaker, Bumgardner, DeVane, Fletcher, James, Owens, Redding, Spoon, and Warren for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Barbee;

H. J. R. 54, A JOINT RESOLUTION INVITING HIS EXCELLENCY, GOVERNOR JAMES B. HUNT, JR., TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES AT 2:00 P.M., TUESDAY, JANUARY 25, 1983.

On motion of Representative Barbee, the rules are suspended and the resolution is placed before the House for immediate consideration.

The resolution passes its second reading, by electronic vote (77-0), and without objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

By Representative Barnes:

H. B. 55, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ORANGE COUNTY BOARD OF ELECTIONS TO ESTABLISH A SECOND OFFICE TO HANDLE ONE-STOP ABSENTEE VOTING, is referred to the Committee on Election Laws.

By Representatives Seymour, Beard, and Evans:

H. B. 56, A BILL TO BE ENTITLED AN ACT TO AMEND THE SAFE DRIVER INSURANCE PLAN PROVISIONS ON THE PROPERTY DAMAGE MONETARY THRESHOLD FOR CHARGEABLE ACCIDENTS, is referred to the Committee on Insurance.

By Representatives Seymour, Beard, and Evans:

H. B. 57, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW CONCERNING REPORTING OF PRODUCT LIABILITY INSURANCE UNDERWRITING EXPERIENCE, is referred to the Committee on Insurance.

By Representatives Seymour, Beard, and Evans:

H. B. 58, A BILL TO BE ENTITLED AN ACT TO AMEND THE GROUP HEALTH INSURANCE CONTINUATION AND CONVERSION PRIVILEGES LAW WITH REGARD TO CONVERSION POLICY RATE FILINGS, is referred to the Committee on Insurance.

By Representatives Seymour, Beard, and Evans:

H. B. 59, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE APPLICABILITY OF THE GROUP HEALTH INSURANCE CONTINUATION AND CONVERSION LAW, is referred to the Committee on Insurance.

By Representatives Seymour, Beard, and Evans:

H. B. 60, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW CONCERNING UNDERINSURED MOTORIST COVERAGE, is referred to the Committee on Insurance.

By Representatives Seymour, Beard, and Evans:

H. B. 61, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING AND TECHNICAL AMENDMENTS TO VARIOUS INSURANCE STATUTES, is referred to the Committee on Insurance.

By Representatives Seymour, Beard, and Evans:

H. B. 62, A BILL TO BE ENTITLED AN ACT TO REMOVE THE PER PERSON LIABILITY LIMITATION FROM THE MOTOR VEHICLE FINANCIAL RESPONSIBILITY STATUTES, is referred to the Committee on Insurance.

By Representatives Seymour, Beard, Evans, and C. Hughes:

H. B. 63, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO CONTINUE ITS STUDY OF INSURANCE REGULATION, CREDIT INSURANCE, AND STATE GOVERNMENT RISK MANAGEMENT, is referred to the Committee on Rules and Operation of the House.

By Representatives Tennille, Childress, Hauser, Kennedy, and Womble:

H. B. 64, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF WINSTON-SALEM TO INCREASE THE TAX LEVY ON MOTOR VEHICLES TO A MAXIMUM OF FIVE DOLLARS, is referred to the Committee on Finance.

By Representatives Tennille, Childress, Grimsley, Hauser, Kennedy, and Womble:

H. B. 65, A BILL TO BE ENTITLED AN ACT TO AMEND THE NAME OF THE CLINICAL TOXICOLOGICAL LABORATORY LOCATED IN WINSTON-SALEM, NORTH CAROLINA, is referred to the Committee on Local Government No. 2.

By Representative Hackney:

H. B. 66, A BILL TO BE ENTITLED AN ACT TO REVISE AND SIMPLIFY G.S. 8-57 REGARDING THE TESTIMONY OF SPOUSES IN CRIMINAL ACTIONS, is referred to the Committee on Judiciary No. 1.

By Representative Hackney:

H. B. 67, A BILL TO BE ENTITLED AN ACT TO REWRITE AND SIMPLIFY G.S. 14-269 REGARDING CARRYING CONCEALED WEAPONS, is referred to the Committee on Judiciary No. 1.

By Representatives Huskins and Brawley:

H. B. 68, A BILL TO BE ENTITLED AN ACT TO EXTEND THE HOURS DURING WHICH THE INTENTIONAL SWEEPING OF GAME LANDS WITH LIGHTS AND THE INTENTIONAL SHINING OF LIGHTS ON DEER ARE PROHIBITED IN IREDELL COUNTY, is referred to the Committee on Wildlife Resources.

By Representatives Coble, Brawley, and C. Hughes:

H. B. 69, A BILL TO BE ENTITLED AN ACT TO PERMIT A SUCCESSFUL APPELLANT OF AN AGENCY DECISION TO RECOVER ATTORNEY'S FEES

AND COSTS FROM THE AGENCY IN CERTAIN CIRCUMSTANCES, is referred to the Committee on Judiciary No. 1.

By Representatives Gillam, Fulcher, James, Lutz, and Mauney:

H. B. 70, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ANY FUNDS APPROPRIATED FOR THE OIL RE-REFINING FACILITY FOR THE 1983-85 BIENNIUM SHALL BE THE FINAL PUBLIC FUNDS EXPENDED ON THAT FACILITY, is referred to the Committee on Appropriations.

By Representatives Gillam, Hayden, James, and Lutz:

H. B. 71, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT TRAILERS USED TO TRANSPORT FARM CHEMICALS FROM SUPPLIERS TO FARMERS ARE EXEMPT FROM REGISTRATION AND CERTIFICATE OF TITLE REQUIREMENTS, is referred to the Committee on Highway Safety.

By Representatives DeVane, Hasty, and Locks:

H. B. 72, A BILL TO BE ENTITLED AN ACT TO PERMIT TRUSTEES OF THE RAEFORD FIREMEN'S RELIEF FUND TO PAY FIREMEN'S CONTRIBUTIONS TO THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND, is referred to the Committee on Pensions and Retirement.

By Representatives Pulley, Brennan, Easterling, Evans, Greenwood, Hackney, Hunter, Roberts, Slaughter, and Wicker:

H. B. 73, A BILL TO BE ENTITLED AN ACT TO PERMIT ENFORCEMENT OF CHILD SUPPORT AND ALIMONY JUDGMENTS WHILE ON APPEAL, is referred to the Committee on Judiciary No. 4.

On motion of Representative Quinn, seconded by Representative Beall, the House adjourns to reconvene Monday, January 24, 1983 at 8:00 p.m.

NINTH DAY

HOUSE OF REPRESENTATIVES
Monday, January 24, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Beard.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of January 21 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Foster and Stamey for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Gillam:

H. B. 74, A BILL TO BE ENTITLED AN ACT TO PROVIDE STATE APPROPRIA-

TIONS FOR MAINTENANCE PERSONNEL EMPLOYED IN THE PUBLIC SCHOOLS, is referred to the Committee on Appropriations.

By Representatives Kennedy, Childress, Hauser, Tennille, and Womble:

H. B. 75, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A NEW DISTRICT COURT JUDGE IN THE TWENTY-FIRST JUDICIAL DISTRICT, is referred to the Committee on Courts and Administration of Justice.

By Representatives Quinn, Hudson, Slaughter, and Thomas:

H. B. 76, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO THE KANNAPOLIS FIREMEN'S SUPPLEMENTAL RETIREMENT FUND, is referred to the Committee on Pensions and Retirement.

By Representatives Brennan, Easterling, Bruce Ethridge, and Spaulding:

H. B. 77, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR SPOUSE ABUSE PROGRAMS, is referred to the Committee on Appropriations.

By Representative Berry:

H. B. 78, A BILL TO BE ENTITLED AN ACT TO ALLOW THE MECKLENBURG COUNTY BOARD OF EDUCATION TO FILL BY APPOINTMENT A VACANCY CREATED WHEN A MEMBER IS ELECTED TO ANOTHER PUBLIC OFFICE, LOCAL, STATE OR FEDERAL, is referred to the Committee on Local Government No. 1.

By Representative Ballance:

H. B. 79, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REGULATION OF HAZARDOUS WASTE AND PCB LANDFILLS, is referred to the Committee on Water and Air Resources.

By Representatives Watkins and Adams:

H. B. 80, A BILL TO BE ENTITLED AN ACT TO MAKE APPROPRIATIONS TO PROVIDE CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, is referred to the Committee on Appropriations.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

H. J. R. 54, A JOINT RESOLUTION INVITING HIS EXCELLENCY, GOVERNOR JAMES B. HUNT, JR., TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES AT 2:00 P.M., TUESDAY, JANUARY 25, 1983, is returned for concurrence in Senate amendment.

On motion of Representative Barbee, the rules are suspended and the resolution is placed on the Calendar for immediate consideration.

On motion of Representative Barbee, the House concurs in the Senate amendment and the resolution is ordered enrolled.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. J. R. 54, A JOINT RESOLUTION INVITING HIS EXCELLENCY, GOVERNOR JAMES B. HUNT, JR., TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES AT 2:00 P.M., TUESDAY, JANUARY 25, 1983.

CALENDAR

Action is taken on the following:

H. B. 8, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN OPTIONAL PRIVILEGE LICENSE TAX FOR PERSONS ENGAGED IN RETAIL VARIETY SALES BUSINESSES FOR WHICH PRIVILEGE LICENSES ARE REQUIRED.

Representative Church requests that he be excused from voting on this bill under Rule 24.1a and this request is granted.

The bill pases its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Holmes, Holt, Hudson, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Keesee, Kennedy, Lacey, Lambeth, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Tennille, Thomas, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, and C. Woodard — 103.

Voting in the negative: Representative C. Hughes.

Excused absences: Representatives Foster, Stamey, and Tyndall — 3.

Representative Tyndall requests and is granted permission to be recorded as voting "aye".

H. B. 5, A BILL TO BE ENTITLED AN ACT TO TRANSFER RESPONSIBILITY FOR COLLECTING INCOME AND FRANCHISE TAXES ON SAVINGS AND LOAN ASSOCIATIONS FROM THE SAVINGS AND LOAN DIVISION OF THE DEPARTMENT OF COMMERCE TO THE DEPARTMENT OF REVENUE, passes its second reading, by electronic vote (105-0), and without objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 7, A BILL TO BE ENTITLED AN ACT REGARDING THE DISTRIBUTION OF INTANGIBLE TAX REVENUE COLLECTED DURING FISCAL YEAR 1982-83, passes its second reading by electronic vote (108-0).

Representative Lilley objects to the third reading. The bill remains on the Calendar.

H. B. 15, A BILL TO BE ENTITLED ANACT TO ALLOW HAYWOOD COUNTY HOSPITAL TO OBTAIN SEMIANNUAL REFUNDS OF SALES AND USE TAXES INSTEAD OF ANNUAL REFUNDS.

On motion of Representative Quinn, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (108-0), and without objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 17, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT ORGANIZATIONS THAT ARE EXEMPT FROM FEDERAL INCOME TAX ARE ALSO EXEMPT FROM STATE CORPORATE INCOME AND FRANCHISE TAX, passes its second reading, by electronic vote (107-0), and without objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 19, A BILL TO BE ENTITLED AN ACT TO ALLOW LESSORS OF MOTOR VEHICLES TO ASSUME PRIMARY RESPONSIBILITY FOR PAYMENT OF THE SPECIAL FUELS AND HIGHWAY USE TAXES, passes its second reading, by electronic vote (109-0), and without objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 24, A BILL TO BE ENTITLED AN ACT TO PROVIDE ALTERNATIVE BEGINNING DATES FOR PARCEL IDENTIFIER INDEXES.

On motion of Representative Hackney, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (108-1), and without objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

The Speaker orders a Special Message sent to the Senate with the information that Representatives Barbee, Fenner, Mavretic, and Matthews have been appointed to serve with a like committee from the Senate to escort the Governor to the Joint Session on Tuesday, January 25, 1983 at 2:00 p.m.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
January 24, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body that pursuant to H. J. R. 54, A JOINT RESOLUTION INVITING HIS EXCELLENCY, GOVERNOR JAMES B. HUNT, JR., TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES AT 2:00 P.M., TUESDAY, JANUARY 25, 1983, in the Hall of the House, the President appoints as a committee on the part of the Senate to escort the Governor to the Joint Session: Senator Ollie Harris, Chairman; Senators Robert Warren, A. D. Guy, and Marshall Rauch.

Respectfully,
S/ SYLVIA M. FINK
Principal Clerk

On motion of Representative Hunt, seconded by Representative Bruce Ethridge, the House adjourns to reconvene January 25, 1983 at 1:30 p.m.

TENTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, January 25, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Brown.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of January 24 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Locks, Rhodes, and Stamey for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Church for the Committee on State Government:

H. B. 6, A BILL TO BE ENTITLED AN ACT TO ALLOW THE SECRETARY OF REVENUE TO MAKE CONTRACTS CONCERNING THE HANDLING OF BULK MAIL, with a favorable report.

H. B. 34, A BILL TO BE ENTITLED AN ACT TO PROVIDE BELMONT ABBEY WITH ONE COPY OF VARIOUS STATE PUBLICATIONS AS THEY ARE PUBLISHED, with a favorable report, as amended.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S. B. 6, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROCESS OF CERTAIN APPEALS BY AREA MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE AUTHORITIES, is read the first time and is referred to the Committee on Mental Health.

S. B. 8, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF HUMAN RESOURCES TO ACT AS CONTRACTUAL INTERMEDIARY WITH THE FEDERAL GOVERNMENT TO ASSIST RECOVERY BY COUNTIES OF INTERIM WELFARE PAYMENTS, is read the first time and is referred to the Committee on Human Resources.

S. B. 10, A BILL TO BE ENTITLED AN ACT TO AMEND G.S. 108A-24, 108A-41, AND 108A-42 TO CLARIFY PUBLIC ASSISTANCE PROGRAM DISABILITY, is read the first time and is referred to the Committee on Human Resources.

S. B. 11, A BILL TO BE ENTITLED AN ACT TO ALLOW AREA MENTAL HEALTH, MENTAL RETARDATION, AND SUBSTANCE ABUSE BOARD MEMBERSHIP TO INCLUDE UP TO TWENTY-FIVE MEMBERS, is read the first time and is referred to the Committee on Mental Health.

CALENDAR

Action is taken on the following:

H. B. 8, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN OPTIONAL

PRIVILEGE LICENSE TAX FOR PERSONS ENGAGED IN RETAIL VARIETY SALES BUSINESSES FOR WHICH PRIVILEGE LICENSES ARE REQUIRED.

Representative Church requests that he be excused from voting on this bill under Rule 24.1a and this request is granted.

The bill passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brubaker, Bumgardner, Burnley, Chapin, Childress, Clark, Coble, Cochrane, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jordan, Keesee, Kennedy, Lambeth, Lancaster, Ligon, Lilley, Lutz, McAlister, McDowell, Mauney, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 107.

Voting in the negative: none.

Excused absences: Representatives Locks, Rhodes, and Stamey — 3.

Excused votes: Representative Church.

H. B. 7, A BILL TO BE ENTITLED AN ACT REGARDING THE DISTRIBUTION OF INTANGIBLE TAX REVENUE COLLECTED DURING FISCAL YEAR 1982-83, passes its third reading, by electronic vote (109-0), and is ordered sent to the Senate.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
January 25, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body that pursuant to H. J. R. 54, A JOINT RESOLUTION INVITING HIS EXCELLENCY, GOVERNOR JAMES B. HUNT, JR., TO ADDRESS A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES AT 2:00 P.M., TUESDAY, JANUARY 25, 1983, the Senate stands ready to repair to the Hall of the House, there to sit in Joint Session with your Honorable Body.

Respectfully,
S/ SYLVIA M. FINK
Principal Clerk

The Speaker orders a Special Message sent to the Senate informing that Honorable Body that the House stands ready to receive them in Joint Session.

JOINT SESSION

Pursuant to resolution heretofore adopted and exchange of messages, the Sergeant-at-

Arms of the House of Representatives announces the arrival of the Senate at the door of the House. The Speaker directs the admittance and seating of that Honorable Body. The President of the Senate, the Honorable James C. Green, is seated to the right of the Speaker and is presented the gavel.

The Joint Session is called to order by the President.

The Sergeant-at-Arms of the House announces the approach of the Governor. His Excellency enters escorted by Senators Harris, Warren, Guy, and Rauch and Representatives Barbee, Fenner, Mavretic, and Matthews.

The President recognizes Senator Harris who presents his Excellency James B. Hunt, Jr., Governor of North Carolina, to the Joint Assembly.

(In accordance with H. J. R. 54, the full text of his address can be found in the Appendix.)

Upon completion of his address, the Governor, joined by the escort committee, leaves the Hall of the House.

On motion of Senator Lawing, the Joint Session is dissolved and the Senate returns to its Chamber.

On motion of Representative Hunt, seconded by Representative Quinn, the House adjourns to reconvene January 26, 1983 at 1:30 p.m.

ELEVENTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, January 26, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Helms.

Representative Hunt, for the Committe on Rules and Operation of the House, reports the Journal of January 25 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Gentry, Musselwhite, and Stamey for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Lilley for the Committee on Local Government No. 1:

H. B. 23, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A BEGINNING DATE FOR THE ORANGE COUNTY PARCEL IDENTIFIER INDEX, with a favorable report.

On motion of Representative Lilley, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 29, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT VACANCIES ON THE MOORE COUNTY BOARD OF EDUCATION BE FILLED BY THAT BOARD, RATHER THAN BY THE COUNTY COMMISSIONERS, with a favorable report.

By Representative McDowell for the Committee on Corrections:

H. B. 39, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF CORRECTION TO REIMBURSE COUNTIES FOR JAILED FEMALE INMATES, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Fletcher:

H. B. 81, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF VALDESE TO EXERCISE CERTAIN LAND ACQUISITION AND DISPOSAL PROCEDURES, is referred to the Committee on Local Government No. 1.

By Representatives Watkins, DeVane, and C. Hughes:

H. B. 82, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN VOLUNTEER FIRE DEPARTMENTS FROM THE OCCUPATIONAL SAFETY AND HEALTH ACT OF NORTH CAROLINA, is referred to the Committee on Judiciary No. 4.

By Representatives Watkins and C. Hughes:

H. B. 83, A BILL TO BE ENTITLED AN ACT TO PERMIT ASSISTANT FIRE MARSHALS TO USE A RED LIGHT ON THEIR VEHICLES, is referred to the Committee on Highway Safety.

By Representative Rabon;

H. B. 84, A BILL TO BE ENTITLED AN ACT TO ALLOW CRIMINAL SESSIONS OF BRUNSWICK COUNTY SUPERIOR COURT IN FACILITIES OTHER THAN THE COURTHOUSE AT THE COUNTY SEAT OF BOLIVIA WHEN THE COURTROOM IS INADEQUATE FOR JOINT TRIAL OR HEARING OF MULTIPLE DEFENDANTS, is referred to the Committee on Courts and Administration of Justice.

By Representatives Lilley, Anderson, and Barker:

H. B. 85, A BILL TO BE ENTITLED AN ACT TO REGULATE HUNTING IN LENOIR COUNTY, is referred to the Committee on Wildlife Resources.

By Representatives Lilley, Beall, Holt, and Jordan:

H. B. 86, A BILL TO BE ENTITLED AN ACT TO ALLOW CORPORATIONS TO DEDUCT THE AMOUNT BY WHICH THE BASIS OF CERTAIN PROPERTY IS REDUCED BY A FEDERAL TAX CREDIT, is referred to the Committee on Finance.

By Representatives Lilley, Beall, Holt, C. Hughes, and Jordan:

H. B. 87, A BILL TO BE ENTITLED AN ACT TO INCREASE THE GIFT TAX LIFETIME EXEMPTION, is referred to the Committee on Finance.

By Representatives Lilley, Beall, Holt, C. Hughes, and Jordan:

H. B. 88, A BILL TO BE ENTITLED AN ACT TO RAISE THE ANNUAL GIFT TAX EXCLUSION FROM THREE THOUSAND DOLLARS TO TEN THOUSAND DOLLARS, is referred to the Committee on Finance.

By Representatives Lilley, Beall, Holt, C. Hughes, and Jordan;

H. B. 89, A BILL TO BE ENTITLED AN ACT TO ELIMINATE DOUBLE TAXATION OF INCOME IN RESPECT OF A DECEDENT, is referred to the Committee on Finance.

By Representatives Lilley, Anderson, and Barker:

H. B. 90, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO COMPLETE THE RESTORATION OF HARMONY HALL IN THE CITY OF KINSTON, is referred to the Committee on Appropriations.

CALENDAR

Action is taken on the following:

H. B. 6, A BILL TO BE ENTITLED AN ACT TO ALLOW THE SECRETARY OF REVENUE TO MAKE CONTRACTS CONCERNING THE HANDLING OF BULK MAIL.

Representative Poovey moves that consideration of the bill be postponed to January 27 and this motion fails by electronic vote (16-91).

The bill passes its second reading by electronic vote (107-6).

Representative Lilley objects to the third reading. The bill remains on the Calendar.

H. B. 34, A BILL TO BE ENTITLED AN ACT TO PROVIDE BELMONT ABBEY WITH ONE COPY OF VARIOUS STATE PUBLICATIONS AS THEY ARE PUBLISHED.

On motion of Representative Roberts, Committee Amendment No. 1, which changes the title, is adopted.

The bill, as amended, passes its second reading by electronic vote (108-1).

Representative Roberts objects to the third reading. The bill remains on the Calendar.

On motion of Representative Hunt, seconded by Representative Hayden, the House adjourns to reconvene January 27, 1983 at 1:30 p.m.

TWELFTH DAY

HOUSE OF REPRESENTATIVES
Thursday, January 27, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Berry.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of January 26 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Auman, Gentry, and Owens for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Lambeth for the Committee on Wildlife Resources:

H. B. 68, A BILL TO BE ENTITLED AN ACT TO EXTEND THE HOURS DURING WHICH THE INTENTIONAL SWEEPING OF GAME LANDS WITH LIGHTS AND THE INTENTIONAL SHINING OF LIGHTS ON DEER ARE PROHIBITED IN IREDELL COUNTY, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Lilley, Beall, Holt, and Jordan:

H. B. 91, A BILL TO BE ENTITLED AN ACT TO AMEND THE INHERITANCE TAX LAW CONCERNING TRANSFERS MADE WITHIN THREE YEARS OF DEATH TO CONFORM WITH FEDERAL LAW, is referred to the Committee on Finance.

By Representative Allran:

H. B. 92, A BILL TO BE ENTITLED AN ACT TO ALLOW THE NEWTON-CONOVER AND THE CATAWBA COUNTY SCHOOL UNIT BOARDS OF EDUCATION TO PAY THEIR TEN-MONTH PERSONNEL ON OR BEFORE THE FIFTEENTH DAY OF EACH MONTH, is referred to the Committee on Education.

By Representatives Womble, Childress, Hauser, Kennedy, and Tennille:

H. B. 93, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WINSTON-SALEM TO SET THE INTEREST RATE ON LOCAL ASSESSMENTS IN ACCORDANCE WITH GENERAL LAW, is referred to the Committee on Finance.

By Representative Lee:

H. B. 94, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN REGISTERED INSTRUMENTS, is referred to the Committee on Judiciary No. 4.

By Representatives DeVane, Hasty, and Locks:

H. B. 95, A BILL TO BE ENTITLED AN ACT REGARDING AMBULANCE SERVICE IN HOKE COUNTY, is referred to the Committee on Judiciary No. 2.

By Representatives Pulley, Allran, Hackney, and Helms:

H. B. 96, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY AND CODIFY THE RULES OF EVIDENCE, is referred to the Committee on Judiciary No. 4.

By Representatives Matthews, Barbee, Fenner, and Mavretic:

H. B. 97, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN CHANGES IN THE ROCKY MOUNT SUPPLEMENTAL RETIREMENT FUND FOR FIREMEN, is referred to the Committee on Pensions and Retirement.

CALENDAR

Action is taken on the following:

H. B. 29, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT VACANCIES ON THE MOORE COUNTY BOARD OF EDUCATION BE FILLED BY THAT BOARD, RATHER THAN BY THE COUNTY COMMISSIONERS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 6, A BILL TO BE ENTITLED ANACT TO ALLOW THE SECRETARY OF REVENUE TO MAKE CONTRACTS CONCERNING THE HANDLING OF BULK MAIL, passes its third reading, by electronic vote (109-0), and is ordered sent to the Senate.

H. B. 34, A BILL TO BE ENTITLED AN ACT TO PROVIDE BELMONT ABBEY COLLEGE AND SACRED HEART COLLEGE EACH WITH ONE COPY OF VARIOUS STATE PUBLICATIONS AS THEY ARE PUBLISHED.

On motion of Representative Roberts, Committee Amendment No. 1, which was adopted January 26, is reconsidered.

On motion of Representative Roberts, Amendment No. 1 is postponed indefinitely.

Representative Roberts offers Amendment No. 2 which is adopted by electronic vote (110-1). This amendment changes the title.

On motion of Representative Roberts, the bill is ordered engrossed and re-referred to the Committee on Appropriations.

On motion of Representative Hunt, seconded by Representative Church, the House adjourns to reconvene January 28, 1983 at 11:00 a.m.

THIRTEENTH DAY

HOUSE OF REPRESENTATIVES
Friday, January 28, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend Charles Herring, Pastor, Hopewell Methodist Church, Clinton, North Carolina.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of January 27 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Brannan, DeVane, Gentry, Owens, Roberts and Warren, for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Helms, Berry, Black, Brennan, Easterling, Economos, Foster, and Spoon:

H. J. R. 98, A JOINT RESOLUTION MEMORIALIZING THE LIFE AND WORK OF RAYMOND M. WHEELER, M. D., is referred to the Committee on Rules and Operation of the House.

By Representatives Hauser, Childress, Kennedy, Tennille, and Womble:

H. B. 99, A BILL TO BE ENTITLED AN ACT BRINGING FORSYTH COUNTY UNDER GENERAL STATE LAW FOR PISTOL PERMIT FEES, is referred to the Committee on Law Enforcement.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 23, AN ACT TO AUTHORIZE A BEGINNING DATE FOR THE ORANGE COUNTY PARCEL IDENTIFIER INDEX.

CALENDAR

Action is taken on the following:

H. B. 68, A BILL TO BE ENTITLED AN ACT TO EXTEND THE HOURS DURING WHICH THE INTENTIONAL SWEEPING OF GAME LANDS WITH LIGHTS AND THE INTENTIONAL SHINING OF LIGHTS ON DEER ARE PROHIBITED IN IREDELL COUNTY.

On motion of Representative Huskins, consideration of the bill is postponed until February 1, 1983.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Hunt for the Committee on Rules and Operation of the House:

H. B. 26, A BILL TO BE ENTITLED AN ACT TO ALLOW OPERATION OF A SNACK BAR AND CAFETERIA IN THE STATE LEGISLATIVE BUILDING AND DELETE THE AUTHORIZATION FOR CONCESSION STANDS IN THE STATE CAPITOL WHILE THE LEGISLATURE IS IN SESSION, with a favorable report.

On motion of Representative Barbee, the bill is placed on the Calendar for February 1, 1983.

On motion of Representative Hunt, seconded by Representative Fussell, the House adjourns to reconvene Monday, January 31, 1983 at 8:00 p.m.

FOURTEENTH DAY

HOUSE OF REPRESENTATIVES
Monday, January 31, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Brown.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of Januaray 28 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Bumgardner, Gentry, Hunter, Huskins, and Keesee for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Clark, Beard, Edwards, Jeralds, and Tyson:

H. B. 100, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DIVISION OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES, DEPARTMENT OF HUMAN RESOURCES, FOR THE PURPOSE OF PROMOTING EQUALIZATION OF STATE APPROPRIATED MATCHING FUNDS TO AREA AUTHORITIES, is referred to the Committee on Appropriations.

By Representatives Keese, Brennan, Burnley, Childress, Coble, Colton, Economos, Fenner, Gist, Greenwood, Grimsley, Jarrell, Kennedy, Payne, Seymour, Tennille, and Thomas:

H. B. 101, A BILL TO BE ENTITLED AN ACT TO RAISE AGE LIMITS FOR DAY-CARE STAFF, is referred to the Committee on Human Resources.

By Representatives Keesee, Brennan, Burnley, Childress, Colton, Economos, Fenner, Gist, Greenwood, Grimsley, Jarrell, Kennedy, Payne, Seymour, Tennille, and Thomas:

H. B. 102, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF DAY-CARE FACILITY, is referred to the Committee on Human Resources.

By Representatives Childress, Grimsley, Hauser, Kennedy, Tennille, and Womble:

H. B. 103, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PERMITS FOR PYROTECHNIC DISPLAYS WITHIN INCORPORATED MUNICIPALITIES IN FORSYTH COUNTY SHALL BE GRANTED BY THE CITY COUNCIL INSTEAD OF THE COUNTY COMMISSIONERS, AND TO PROVIDE THAT THE COUNTY COMMISSIONERS MAY DELEGATE THEIR PERMIT GRANTING POWERS RELATING TO PYROTECHNIC DISPLAYS AND SALES OF EXPLOSIVES, is referred to the Committee on Local Government No. 2.

By Representatives Lilley, Beall, Holt, and Jordan:

H. B. 104, A BILL TO BE ENTITLED AN ACT TO ALLOW ONE SPOUSE TO APPLY BOTH HIS GIFT TAX ANNUAL EXCLUSION AND HIS SPOUSE'S ANNUAL EXCLUSION TO GIFTS MADE TO ANYONE OTHER THAN HIS SPOUSE, is referred to the Committee on Finance.

By Representatives Barnes and Hackney:

H. J. R. 105, A JOINT RESOLUTION HONORING WADE BARBER, A FORMER MEMBER OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules and Operation of the House.

By Representatives Easterling and Colton (co-sponsors); Representatives Brennan, Burnley, Cook, Economos, Fenner, Foster, Hayden, Helms, Holt, Keesee, Kennedy, Lutz, McDowell, Nesbitt, Seymour, Stamey, Tennille, and Thomas:

H. B. 106, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 39 TO FURTHER EQUALIZE BETWEEN MARRIED PERSONS THE RIGHT TO INCOME, POSSESSION AND CONTROL IN PROPERTY OWNED CONCURRENTLY IN TENANCY BY THE ENTIRETY, is referred to the Committee on Judiciary No. 1.

By Representative Lancaster:

H. B. 107, A BILL TO BE ENTITLED AN ACT REGARDING VISITATION RIGHTS OF NONPARENTS TO MINOR CHILDREN, is referred to the Committee on Judiciary No. 3.

By Representative Lancaster:

H. B. 108, A BILL TO BE ENTITLED AN ACT TO TAX THE SPOUSE OF A LINEAL DESCENDANT AT THE SAME RATE AS THE LINEAL DESCENDANT UNDER THE INHERITANCE AND GIFT TAX LAWS, is referred to the Committee on Finance.

By Representative James:

H. B. 109, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE WILDLIFE PRESERVE AND BIRD SANCTUARY IN ARROWHEAD BEACH SUBDIVISION, CHOWAN COUNTY, is referred to the Committee on Wildlife Resources.

By Representatives Lancaster, Church, and Chapin;

H. B, 110, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE COMMITTEE ON AGENCY REVIEW TO STUDY THE NEED FOR NEW LICENSING LAWS AND PROGRAMS ACCORDING TO CRITERIA AND PROCEDURES SPECIFIED HEREIN, is referred to the Committee on State Government.

By Representative B. Woodard:

H. B. 111, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 20-88 RELATING TO PROPERTY-HAULING VEHICLES, is referred to the Committee on Highway Safety.

By Representative Wright:

H. B. 112, A BILL TO BE ENTITLED AN ACT TO APPOINT FOUR MEMBERS TO THE BOARD OF EDUCATION OF THE WHITEVILLE CITY SCHOOL ADMINISTRATIVE UNIT.

On motion of Representative Wright, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading and without objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

MESSAGES FORM THE SENATE

The following are received form the Senate:

S. B. 9, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 110 OF THE GENERAL STATUTES TO ENSURE ACCESS TO THE FEDERAL PARENT LOCATOR SERVICES IN PARENTAL KIDNAPPING AND CHILD CUSTODY CASES, is read the first time and is referred to the Committee on Judiciary No. 2.

On motion of Representative Allran, H. B. 92, A BILL TO BE ENTITLED AN ACT TO ALLOW THE NEWTON-CONOVER AND THE CATAWBA COUNTY SCHOOL UNIT BOARDS OF EDUCATION TO PAY THEIR TEN-MONTH PERSONNEL ON OR BEFORE THE FIFTEENTH DAY OF EACH MONTH, is withdrawn from the Committee on Education and is re-referred to the Committee on Local Government No. 1.

On motion of Representative Hunt, seconded by Representative Beall, the House adjourns to reconvene February 1, 1983 at 1:30 p.m.

FIFTEENTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, February 1, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Lambeth.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of January 31 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Bumgardner and Gentry for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Quinn for the Committee on Finance:

H. B. 20, A BILL TO BE ENTITLED AN ACT TO TAX ALL INCOME OF AN EXEMPT CORPORATION THAT IS UNRELATED TO THE BASIS OF THE CORPORATION'S EXEMPTION, with a favorable report.

H. B. 64, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF WINSTON-SALEM TO INCREASE THE TAX LEVY ON MOTOR VEHICLES TO A MAXIMUM OF FIVE DOLLARS, with a favorable report.

H. B. 86, A BILL TO BE ENTITLED AN ACT TO ALLOW CORPORATIONS TO DEDUCT THE AMOUNT BY WHICH THE BASIS OF CERTAIN PROPERTY IS REDUCED BY A FEDERAL TAX CREDIT, with a favorable report.

H. B. 89, A BILL TO BE ENTITLED AN ACT TO ELIMINATE DOUBLE TAXATION OF INCOME IN RESPECT OF A DECEDENT, with a favorable report, as amended.

H. B. 93, A BILL TO ENTITLED AN ACT TO AUTHORIZE THE CITY OF WINSTON-SALEM TO SET THE INTEREST RATE ON LOCAL ASSESSMENTS IN ACCORDANCE WITH GENERAL LAW, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Economos, Berry, Black, Brennan, Easterling, Foster, Hayden, Helms, and Spoon:

H. B. 113, A BILL TO BE ENTITLED AN ACT TO FUND THE ESTABLISHMENT AND OPERATION OF A DEMONSTRATION PERSONAL CARE ATTENDANT PROJECT FOR SEVERELY DISABLED PERSONS, is referred to the Committee on Appropriations.

CALENDAR

Action is taken on the following:

H. B. 68, A BILL TO BE ENTITLED AN ACT TO EXTEND THE HOURS DURING WHICH THE INTENTIONAL SWEEPING OF GAME LANDS WITH LIGHTS AND THE INTENTIONAL SHINING OF LIGHTS ON DEER ARE PROHIBITED IN IREDELL COUNTY.

On motion of Representative Huskins, consideration of the bill is postponed until February 8, 1983.

H. B. 26, A BILL TO BE ENTITLED AN ACT TO ALLOW OPERATION OF A SNACK BAR AND CAFETERIA IN THE STATE LEGISLATIVE BUILDING AND DELETE THE AUTHORIZATION FOR CONCESSION STANDS IN THE STATE CAPITOL WHILE THE LEGISLATURE IS IN SESSION, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 112, AN ACT TO APPOINT FOUR MEMBERS TO THE BOARD OF EDUCATION OF THE WHITEVILLE CITY SCHOOL ADMINISTRATIVE UNIT.

On motion of Representative Hunt, seconded by Representative Tyson, the House adjourns to reconvene February 2, 1983 at 1:30 p.m.

SIXTEENTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, February 2, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend Robert O'Keef, Windsor United Methodist Church, Windsor, North Carolina.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of February 1 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Beard, Gentry, and Payne for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Helms for the Committee on Courts and Administration of Justice:

H. B. 84, A BILL TO BE ENTITLED AN ACT TO ALLOW CRIMINAL SESSIONS OF BRUNSWICK COUNTY SUPERIOR COURT IN FACILITIES OTHER THAN THE COURTHOUSE AT THE COUNTY SEAT OF BOLIVIA WHEN THE COURTROOM IS INADEQUATE FOR JOINT TRIAL OR HEARING OF MULTIPLE DEFENDANTS, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

On motion of Representative Helms, the substitute bill is placed on the Calendar for February 4, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Fussell for the Committee on Highway Safety:

H. B. 22, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR INCREASED EMPHASIS ON DRIVERS EDUCATION AND DRIVING UNDER THE INFLUENCE OF ALCOHOL AND DRUGS, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

By Representative Lutz for the Committee on Local Government No. 2:

H. B. 65, A BILL TO BE ENTITLED AN ACT TO AMEND THE NAME OF THE CLINICAL TOXICOLOGICAL LABORATORY LOCATED IN WINSTON-SALEM, NORTH CAROLINA, with a favorable report.

H. B. 103, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PERMITS FOR PYROTECHNIC DISPLAYS WITHIN INCORPORATED MUNICIPALITIES IN FORSYTH COUNTY SHALL BE GRANTED BY THE CITY COUNCIL INSTEAD OF THE COUNTY COMMISSIONERS, AND TO PROVIDE THAT THE COUNTY COMMISSIONERS MAY DELEGATE THEIR PERMIT GRANTING POWERS RELATING TO PYROTECHNIC DISPLAYS AND SALES OF EXPLOSIVES, with a favorable report, as amended.

By Representative Lilley for the Committee on Local Government No. 1:

H. B. 81, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF VALDESE TO EXERCISE CERTAIN LAND ACQUISITION AND DISPOSAL PROCEDURES, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives C. Hughes and J. W. Crawford:

H. B. 114, A BILL TO BE ENTITLED AN ACT TO ALLOW THE MARGARET R. PARDEE MEMORIAL HOSPITAL IN HENDERSON COUNTY AND GRANVILLE HOSPITAL IN GRANVILLE COUNTY TO OBTAIN SEMIANNUAL REFUNDS OF SALES AND USE TAXES INSTEAD OF ANNUAL REFUNDS, is referred to the Committee on Finance.

By Representatives Beard, Barker, Beam, Berry, Brennan, Burnley, Cook, Creecy, Economos, Edwards, Fenner, Fletcher, Fulcher, Greenwood, Grimsley, Hauser, Keesee, Lutz, Varner, and C. Woodard:

H. B. 115, A BILL TO BE ENTITLED AN ACT TO MANDATE THE LICENSING OF RESIDENTIAL GROUP CARE FACILITIES FOR CHILDREN, is referred to the Committee on Human Resources.

By Representatives Hunter, Beam, Colton, N. J. Crawford, Enloe, Greenwood, and Nesbitt:

H. B. 116, A BILL TO BE ENTITLED AN ACT TO ALLOW THE HEAD OF A LOCAL LAW ENFORCEMENT AGENCY TO APPOINT TRAFFIC CONTROL OFFICERS, is referred to the Committee on Highway Safety.

By Representatives Warren, Anderson, Barker, Beard, Black, Brown, Chapin, N. J. Crawford, Creecy, DeVane, Easterling, Enloe, Evans, Gillam, Hasty, Hayden, Hudson, Huskins, Jordan, Keesee, Lilley, Matthews, Nash, Stamey, Tyndall, Tyson, Watkins, C. Woodard, and Wright:

H. B. 117, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW ENFORCEMENT OFFICERS', FIREMEN'S, RESCUE SQUAD WORKERS' AND CIVIL AIR PATROL MEMBERS' DEATH BENEFITS ACT, is referred to the Committee on Pensions and Retirement.

By Representatives Barker, Beam, Beard, Berry, Brennan, Burnley, Cook, Creecy, Economos, Fenner, Fletcher, Fulcher, Greenwood, Grimsley, Hauser, Keesee, Lutz, Varner, and C. Woodard:

H. B. 118, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE USE OF THE SINGLE PORTAL OF ENTRY AND EXIT PRINCIPLE IN RENDERING MENTAL HEALTH SERVICES, is referred to the Committee on Mental Health.

CALENDAR

Action is taken on the following:

H. B. 64, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF WINSTON-SALEM TO INCREASE THE TAX LEVY ON MOTOR VEHICLES TO A MAXIMUM OF FIVE DOLLARS, passes its second reading, by the following vote, and remains on the calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Colton, Cook, J. W. Crawford, N. J. Crawford, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Murphy, Musselwhite, Nash, Nesbitt, Owens, Pool, Poovey, Pulley, Quinn, Rabon, Roberts, Seymour, Slaughter, Spaulding, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 105.

Voting in the negative: Representatives Brubaker and Redding — 2.

Excused absences: Representatives Beard, Gentry, and Payne — 3.

H. B. 93, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WINSTON-SALEM TO SET THE INTEREST RATE ON LOCAL ASSESSMENTS IN ACCORDANCE WITH GENERAL LAW, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Clark, Coble, Colton, Cook, J. W. Crawford, N. J. Crawford, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Robinson, Seymour, Slaughter, Spaulding, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 107.

Voting in the negative: None.

Excused absences: Representatives Beard, Gentry, and Payne — 3.

H. B. 20, A BILL TO BE ENTITLED AN ACT TO TAX ALL INCOME OF AN EXEMPT CORPORATION THAT IS UNRELATED TO THE BASIS OF THE CORPORATION'S EXEMPTION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 111.

Voting in the negative: None.

Excused absences: Representatives Beard, Gentry, and Payne — 3.

H. B. 86, A BILL TO BE ENTITLED AN ACT TO ALLOW CORPORATIONS TO DEDUCT THE AMOUNT BY WHICH THE BASIS OF CERTAIN PROPERTY IS REDUCED BY A FEDERAL TAX CREDIT, passes its second reading, by electronic vote (111-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 89, A BILL TO BE ENTITLED AN ACT TO ELIMINATE DOUBLE TAXATION OF INCOME IN RESPECT OF A DECEDENT.

On motion of Representative Lilley, Committee Amendments Nos. 1 and 2 are adopted.

The bill, as amended, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

On motion of Representative Hunt, seconded by Representative Anderson, the House adjourns to reconvene February 3, 1983 at 1:30 p.m.

SEVENTEENTH DAY

HOUSE OF REPRESENTATIVES
Thursday, February 3, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Dr. James C. Cammack, Snyder Memorial Baptist Church, Fayetteville, North Carolina.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of February 2 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Brubaker and Gentry for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Quinn for the Committee on Finance:

H. B. 114, A BILL TO BE ENTITLED AN ACT TO ALLOW THE MARGARET R. PARDEE MEMORIAL HOSPITAL IN HENDERSON COUNTY AND GRANVILLE HOSPITAL IN GRANVILLE COUNTY TO OBTAIN SEMIANNUAL REFUNDS OF SALES AND USE TAXES INSTEAD OF ANNUAL REFUNDS, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Wicker:

H. B. 119, A BILL TO BE ENTITLED AN ACT TO AMEND G.S. 20-16.1 RELATING TO MANDATORY SUSPENSION OF DRIVER'S LICENSE, is referred to the Committee on Highway Safety.

By Representative Wicker:

H. B. 120, A BILL TO BE ENTITLED AN ACT TO AMEND G.S. 44A-4 RELATING TO SALE OF MOTOR VEHICLES TO SATISFY LIENS, is referred to the Committee on Highway Safety.

By Representative Wicker:

H. B. 121, A BILL TO BE ENTITLED AN ACT TO AMEND G.S. 20-16.2 RELATING TO MANDATORY REVOCATION OF LICENSE, is referred to the Committee on Highway Safety.

By Representative Wicker:

H. B. 122, A BILL TO BE ENTITLED AN ACT TO AMEND G.S. 20-108 TO PROVIDE FOR SEIZURE AND DISPOSITION OF MOTOR VEHICLES OR COMPONENT PARTS WHICH DO NOT CARRY IDENTIFYING NUMBERS OR CARRY ALTERED, CHANGED OR OBLITERATED NUMBERS, is referred to the Committee on Highway Safety.

By Representative Slaughter:

H. B. 123, A BILL TO BE ENTITLED AN ACT TO AMEND G.S. 20-309(e) RELATIVE TO A LAPSE IN INSURANCE COVERAGE ON MOTOR VEHICLES, is referred to the Committee on Highway Safety.

By Representatives Lancaster, Barker, Beam, Beard, Berry, Brennan, Burnley, Cook, Economos, Fenner, Fletcher, Fulcher, Greenwood, Grimsley, Hauser, Keesee, Lutz, Tyndall, Varner, and C. Woodard:

H. B. 124, A BILL TO BE ENTITLED AN ACT TO EXPAND THE USE OF OUTPATIENT INVOLUNTARY COMMITMENTS FOR THE MENTALLY ILL, is referred to the Committee on Mental Health.

By Representatives Barnes and Hackney:

H. B. 125, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CHAPEL HILL-CARRBORO BOARD OF EDUCATION TO PAY ITS EMPLOYEES ON THE LAST WORKING DAY OF EACH MONTH, is referred to the Committee on Education.

By Representatives Lutz, Hunt, and Owens:

H. B. 126, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE WHEN THE TERM OF OFFICE OF THE SHERIFF OF CLEVELAND COUNTY BEGINS, IN ORDER TO CONFORM TO GENERAL LAW, is referred to the Committee on Local Government No. 2.

By Representatives Economos and C. Hughes:

H. B. 127, A BILL TO BE ENTITLED AN ACT TO PROHIBIT PLEA BARGAINING IN D.U.I. CASES, is referred to the Committee on Judiciary No. 3.

By Representative Bumgardner:

H. B. 128, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 3 OF CHAPTER 20 OF THE GENERAL STATUTES RELATING TO AUTHORITY TO PROVIDE SPECIAL SERVICES, is referred to the Committee on Finance.

By Representative Bumgardner:

H. B. 129, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DIVISION OF MOTOR VEHICLES MAY NOT ISSUE A DRIVER'S LICENSE TO A PERSON WHOSE LICENSE WAS CANCELLED IN ANOTHER JURISDICTION, is referred to the Committee on Highway Safety.

By Representatives Holt, Childress, Colton, N. J. Crawford, Economos, Fletcher, Greenwood, Hauser, Mauney, Nesbitt, Slaughter, Spoon, Tennille, and Tyndall:

H. B. 130, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE WINE WHOLESALERS TO SELL WINE TO CHURCHES AND MINISTERS, is referred to the Committee on Alcoholic Beverage Control.

CALENDAR

Action is taken on the following:

H. B. 64, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF WINSTON-SALEM TO INCREASE THE TAX LEVY ON MOTOR VEHICLES TO A MAXIMUM OF FIVE DOLLARS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brown, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fletcher, Foster, Fulcher, Fussell, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Huskins, James, Jarrell, Jeralds, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Murphy, Nash, Nesbitt, Owens, Pool, Poovey, Pulley, Quinn, Rabon, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 101.

Voting in the negative: None.

Excused absences: Representatives Brubaker and Gentry — 2.

H. B. 93, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF WINSTON-SALEM TO SET THE INTEREST RATE ON LOCAL ASSESSMENTS IN ACCORDANCE WITH GENERAL LAW, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Allran, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fletcher, Foster, Fulcher, Fussell, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Huskins, James, Jarrell, Jeralds, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 110.

Voting in the negative: None.

Excused absences: Representatives Brubaker and Gentry — 2.

H. B. 103, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PERMITS FOR PYROTECHNIC DISPLAYS WITHIN INCORPORATED MUNICIPALITIES IN FORSYTH COUNTY SHALL BE GRANTED BY THE CITY COUNCIL IN-

STEAD OF THE COUNTY COMMISSIONERS, AND TO PROVIDE THAT THE COUNTY COMMISSIONERS MAY DELEGATE THEIR PERMIT GRANTING POWERS RELATING TO PYROTECHNIC DISPLAYS AND SALES OF EXPLOSIVES.

On motion of Representative Childress, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 81, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TOWN OF VALDESE TO EXERCISE CERTAIN LAND ACQUISITION AND DISPOSAL PROCEDURES.

Representative Fletcher offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 20, A BILL TO BE ENTITLED AN ACT TO TAX ALL INCOME OF AN EXEMPT CORPORATION THAT IS UNRELATED TO THE BASIS OF THE CORPORATION'S EXEMPTION.

The bill passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Bumgardner, Burnley, Chapin, Childress, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Rabon, Redding, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 112.

Voting in the negative: None.

Excused absences: Representatives Brubaker, Church, and Gentry — 3.

H. B. 65, A BILL TO BE ENTITLED AN ACT TO AMEND THE NAME OF THE CLINICAL TOXICOLOGICAL LABORATORY LOCATED IN WINSTON-SALEM, NORTH CAROLINA, passes its second reading, by electronic vote, (109-0) and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

On motion of Representative Hunt, seconded by Representative Thomas, the House adjourns to reconvene February 4, 1983 at 11:00 a. m.

EIGHTEENTH DAY

HOUSE OF REPRESENTATIVES
Friday, February 4, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Lilley.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of February 3 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Gentry, Gillam, Hudson, Mauney, and Roberts for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Hunt for the Committee on Rules and Operation of the House:

H. R. 27, A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE 1983 SESSION OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES, with an unfavorable report as to resolution, favorable as to committee substitute resolution.

On motion of Representative Hunt, the substitute resolution is placed on the Calendar for February 8, 1983. The original resolution is placed on the Unfavorable Calendar.

By Representative Brennan for the Committee on Human Resources:

H. B. 102, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF DAY-CARE FACILITY, with a favorable report, as amended, and placed on the Calendar for February 8, 1983.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Lancaster:

H. B. 131, A BILL TO BE ENTITLED AN ACT TO PERMIT EXPUNCTION OF CRIMINAL RECORDS WHEN THE DEFENDANT IS NOT CONVICTED AND TO CLARIFY THE EFFECT OF AN EXPUNCTION ORDER, is referred to the Committee on Judiciary No. 3.

By Representatives Seymour and Beard:

H. B. 132, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STATE EMPLOYEES' WORKERS' COMPENSATION FUND AND TO SET THE PROCEDURES FOR HANDLING WORKERS' COMPENSATION CLAIMS OF STATE EMPLOYEES, is referred to the Committee on Judiciary No. 1.

By Representatives Creecy and Gillam:

H. B. 133, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS FOR THE NORTHAMPTON COUNTY MUSEUM, is referred to the Committee on Cultural Resources.

By Representatives Creecy and Gillam:

H. B. 134, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR HISTORIC PRESERVATION IN THE TOWN OF MURFREESBORO, is referred to the Committee on Cultural Resources.

By Representative Barnes:

H.B. 135, A BILL TO BE ENTITLED AN ACT TO AMEND THE AGE REQUIREMENT FOR PSYCHOLOGISTS TO CONFORM WITH G.S. 93B-9, is referred to the Committee on State Government.

By Representative Barnes:

H. B. 136, A BILL TO BE ENTITLED AN ACT TO CLARIFY FEES CHARGED BY THE PRIVATE PROTECTIVE SERVICES BOARD, is referred to the Committee on State Government.

By Representatives Economos, Auman, Barker, Beam, Berry, Burnley, Creecy, Edwards, Grimsley, Lutz, Nash, Varner, and C. Woodard:

H. B. 137, A BILL TO BE ENTITLED AN ACT TO ALLOW PUBLIC AND NONPROFIT HUMAN SERVICES PROGRAMS TO PURCHASE PERMANENT LICENSE TAGS FOR AGENCY VEHICLES, is referred to the Committee on Mental Health.

By Representative Warren:

H. B. 138, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE MEMBERS OF THE GREENVILLE UTILITIES COMMISSION MAY FIX THEIR OWN SALARIES, is referred to the Committee on Local Government No. 1.

By Representative Gillam:

H. B. 139, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE HOTEL FREEMAN (PEARL) HISTORICAL SITE IN WINDSOR, is referred to the Committee on Cultural Resources.

By Representative Robinson:

H.B. 140, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF CAJAH MOUNTAIN IN CALDWELL COUNTY, is referred to the Committee on Local Government No. 2.

By Representatives Hackney, Barnes, and Kennedy:

H. B. 141, A BILL TO BE ENTITLED AN ACT TO INCLUDE EDUCATIONAL, PROFESSIONAL AND CAREER ASPIRATIONS AS A CONSIDERATION IN ALIMONY AWARDS, is referred to the Committee on Judiciary No. 1.

By Representative Hackney:

H. B. 142, A BILL TO BE ENTITLED AN ACT TO DEFINE RESUMPTION OF MARITAL RELATIONS BY SEPARATED SPOUSES, is referred to the Committee on Judiciary No. 1.

By Representatives Fenner, Brennan, Easterling, Hayden, Keesee, and Thomas:

H. B. 143, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF DAY-CARE PLAN, is referred to the Committee on Human Resources.

By Representatives Fenner, Anderson, Barker, Brennan, Easterling, Gillam, Hayden, Keesee, Nash, Robinson, and Thomas:

H. B. 144, A BILLTO BE ENTITLED AN ACT TO REMOVE MENTAL RETARDATION FROM THE CONDITIONS PROHIBITING A PERSON FROM WORK IN A DAY-CARE CENTER, is referred to the Committee on Human Resources.

By Representatives Evans, Chapin, and James:

H. B. 145, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE BOUNDARY BETWEEN TYRRELL AND WASHINGTON COUNTIES.

On motion of Representative Evans, the rules are suspended and the bill is placed on the Calendar for February 7, 1983.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S. B. 29, A BILL TO BE ENTITLED AN ACT PERMITTING A COURT TO ORDER CHILD SUPPORT PAYMENTS TO CONTINUE FOR AS LONG AS THE CHILD IS IN HIGH SCHOOL, is read the first time and is referred to the Committee on Judiciary No. 1.

S. B. 7, A BILL TO BE ENTITLED AN ACT TO CLARIFY LIABILITY FOR PAYMENT FOR LONG-TERM HOSPITALIZED CHILDREN, is read the first time and is referred to the Committee on Human Resources.

S. B. 45, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO G.S. 122-35.53, ALLOCATION OF FUNDS TO AREA PROGRAMS, is read the first time and is referred to the Committee on Human Resources.

S. B. 48, A BILL TO BE ENTITLED AN ACT TO ALLOW "P. C." IN A CORPORATE NAME, is read the first time and is referred to the Committee on Corporations.

CALENDAR

Action is taken on the following:

Committee Substitute for H. B. 84, A BILL TO BE ENTITLED AN ACT TO ALLOW CRIMINAL SESSIONS OF BRUNSWICK COUNTY SUPERIOR COURT IN FACILITIES OTHER THAN THE COURTHOUSE AT THE BRUNSWICK COUNTY GOVERNMENT CENTER WHEN THE COURTROOM IS INADEQUATE FOR JOINT TRIAL OR HEARING OF MULTIPLE DEFENDANTS, passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 114, A BILL TO BE ENTITLED AN ACT TO ALLOW THE MARGARET R. PARDEE MEMORIAL HOSPITAL IN HENDERSON COUNTY AND GRANVILLE HOSPITAL IN GRANVILLE COUNTY TO OBTAIN SEMIANNUAL REFUNDS OF SALES AND USE TAXES INSTEAD OF ANNUAL REFUNDS, passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

On motion of Representative Hunt, seconded by Representative Nash, the House adjourns to reconvene Monday, February 7, 1983 at 8:00 p.m.

NINETEENTH DAY

HOUSE OF REPRESENTATIVES
Monday, February 7, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Foster.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of February 4 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Bowen, Brennan, Gentry, Jordan, Slaughter, and Spoon for today.

GOVERNOR'S COMMISSION APPOINTING WALTER B. JONES, JR.

February 3, 1983

WHEREAS, the Honorable Samuel D. Bundy, elected Representative of the 9th House District, 1983 General Assembly is now deceased and

WHEREAS, the provision of General Statutes 163-11 requires that the vacancy created by the death of the Honorable Samuel D. Bundy be filled by appointment of the person selected by the District Executive Committee of the Democratic Party of the 9th House of Representatives District, and

WHEREAS, the Executive Committee of the Democratic Party of the 9th House District has notified me of the selection of Walter B. Jones, Jr., Farmville, North Carolina, to fill said vacancy.

I do by these presents appoint
WALTER B. JONES, JR.
as a member of the
HOUSE OF REPRESENTATIVES
1983 General Assembly

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State at the Capitol in the City of Raleigh, this third day of February in the year of our Lord, one thousand nine hundred eighty three.

S/ JAMES B. HUNT, JR.
Governor of North Carolina

S/THAD EURE
Secretary of State

The Speaker announces tht the following oath of office was administered today to Mr. Walter B. Jones, Jr. of the 9th House District by the Honorable Thad Eure, Secretary of State:

"I, Walter B. Jones, Jr., do solemnly swear that I will support the Constitution and laws of the United States; and,

"I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain,

and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and,

"I do solemnly swear that I will faithfully discharge my duties as a Member of the 1983 House of Representatives of the General Assembly of the State of North Carolina, to the best of my skill and ability, so help me, God."

Representative Jones is assigned to the following committees by the Speaker: Constitutional Amendments, Education, Election Laws, Finance, Higher Education, Local Government No. 2, State Personnel, and University Board of Governors Nominating Committee.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Economos for the Committee on Aging:

H. B. 43, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN CHANGES IN THE GOVERNOR'S ADVISORY COUNCIL ON AGING, with a favorable report and placed on the Calendar for February 9, 1983.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Lancaster:

H. B. 146, A BILL TO BE ENTITLED AN ACT TO CLARIFY AGE LIMITS SET BY VARIOUS CRIMINAL STATUTES, is referred to the Committee on Judiciary No. 3.

By Representatives C. Woodard, Beam, Bowen, Brannan, Childress, DeVane, Economos, Hightower, Hudson, Jarrell, Jeralds, Lee, Matthews, Murphy, Owens, Rabon, Roberts, Warren, Womble, and Wright:

H. B. 147, A BILL TO BE ENTITLED AN ACT TO ALLOW ALL HOSPITALS OWNED AND OPERATED BY A COUNTY TO RECEIVE SEMIANNUAL SALES TAX REFUNDS, is referred to the Committee on Finance.

By Representative Bungardner:

H. B. 148, A BILL TO BE ENTITLED AN ACT TO INCREASE THE INTEREST RATE PAID ON HIGHWAY CONDEMNATION JUDGMENTS TO CONFORM TO THE LEGAL INTEREST RATE, is referred to the Committee on Transportation.

By Representatives Church, Ballance, J. W. Crawford, C. Hughes, and Watkins:

H. B. 149, A BILL TO BE ENTITLED AN ACT TO FURTHER ASSURE THE HEALTH AND SAFETY OF THE CITIZENS LIVING NEAR THE PCB LANDFILL IN WARREN COUNTY, is referred to the Committee on Water and Air Resources.

By Representatives Coble, Grimsley, Holmes, C. Hughes, Jordan, Keesee, Ligon, McDowell, and Redding:

H. B. 150, A BILL TO BE ENTITLED AN ACT TO REQUIRE NONRESIDENT STUDENTS AT THE STATE'S INSTITUTIONS OF HIGHER EDUCATION TO PAY TUITION THAT APPROXIMATES THE COST OF THEIR EDUCATION, is referred to the Committee on Higher Education.

By Representative Musselwhite:

H. B. 151, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES RELATING TO PUBLIC ACCOUNTANTS, is referred to the Committee on Judiciary No. 1.

By Representatives Hunter, C. Hughes, and Womble:

H. B. 152, A BILL TO BE ENTITLED AN ACT TO PERMIT TRANSFER OF PRISONERS AMONG COUNTIES, is referred to the Committee on Law Enforcement.

By Representatives Keesee, Burnley, Coble, Bruce Ethridge, B. Holt, Owens, Payne, Rabon, and Seymour:

H. J. R. 153, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY POTENTIAL ENVIRONMENTAL AND SAFETY HAZARDS PRODUCED BY WOOD STOVES, is referred to the Committee on Rules and Operation of the House.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S. B. 33, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF HUMAN RESOURCES TO COMPROMISE ACCOUNTS, FIX PAYMENTS AND DETERMINE WHO IS ABLE TO PAY FOR SERVICES RENDERED TO THE PUBLIC, is read the first time and is referred to the Committee on Human Resources.

CALENDAR

Action is taken on the following:

H. B. 145, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE BOUNDARY BETWEEN TYRRELL AND WASHINGTON COUNTIES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Brannan, Brawley, Brown, Bumgardner, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Quinn, Rabon, Redding, Roberts, Robinson, Seymour, Spaulding, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, and C. Woodard — 103.

Voting in the negative: None.

Excused absences: Representatives Bowen, Brennan, Gentry, Jordan, Slaughter, and Spoon — 6.

On motion of Representative Hunt, seconded by Representative Foster, the House adjourns to reconvene February 8, 1983 at 1:30 p.m.

TWENTIETH DAY

HOUSE OF REPRESENTATIVES
Tuesday, February 8, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend Maria Bliss, Retired Methodist Minister, Asheboro, North Carolina.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of February 7 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Colton, Gentry, Gist, Huskins, and Jordan for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Barker for the Committee on Mental Health:

S. B. 6, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROCESS OF CERTAIN APPEALS BY AREA MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE AUTHORITIES, with a favorable report.

S. B. 11, A BILL TO BE ENTITLED AN ACT TO ALLOW AREA MENTAL HEALTH, MENTAL RETARDATION, AND SUBSTANCE ABUSE BOARD MEMBERSHIP TO INCLUDE UP TO TWENTY-FIVE MEMBERS, with a favorable report.

By Representative Pulley for the Committee on Judiciary No. 4:

H. B. 73, A BILL TO BE ENTITLED AN ACT TO PERMIT ENFORCEMENT OF CHILD SUPPORT AND ALIMONY JUDGMENTS WHILE ON APPEAL, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for February 10, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 94, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN REGISTERED INSTRUMENTS, with a favorable report.

By Representative Miller for the Committee on Judiciary No. 1:

H. B. 35, A BILL TO BE ENTITLED AN ACT TO REPEAL CERTAIN OBSOLETE CRIMINAL STATUTES REGARDING VAGRANCY AND TRAMPS, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Spaulding and Hauser:

H. B. 154, A BILL TO BE ENTITLED AN ACT TO PROHIBIT ASSAULTS AND THREATS AGAINST JUDICIAL OFFICIALS, is referred to the Committee on Judiciary No. 2.

By Representative C.Hughes:

H. B. 155, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE TAKING OF WILD ANIMALS WITH BAIT, is referred to the Committee on Wildlife Resources.

By Representative Watkins:

H. B. 156, A BILL TO BE ENTITLED AN ACT TO RESTORE LANGUAGE REQUIRING LICENSING BOARDS AND ASSOCIATIONS TO PAY FOR HEALTH INSURANCE BENEFITS, is referred to the Committee on State Government.

By Representatives Roberts, Beam, Blue, Bumgardner, Clark, Economos, Fletcher, Foster, Hasty, Hightower, Lee, Mauney, Owens, Tyndall, and Watkins:

H. B. 157, A BILL TO BE ENTITLED AN ACT RELATING TO THE CERTIFICATION OF ELECTIONS WHICH ARE CONTESTED, is referred to the Committee on Election Laws.

CALENDAR

Action is taken on the following:

Committee Substitute for H. R. 27, A HOUSE RESOULTION ADOPTING THE PERMANENT RULES OF THE 1983 SESSION OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES.

On motion of Representative Hunt, the committee substitute resolution is adopted. (This resolution in its entirety may be found in the Appendix).

H. B. 145, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE BOUNDARY BETWEEN TYRRELL AND WASHINGTON COUNTIES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gillam, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, James, Jarrell, Jeralds, Jones, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Pulley, Quinn, Rabon, Redding, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 110.

Voting in the negative: None.

Excused absences: Representatives Colton, Gentry, Gist, Huskins, and Jordan — 5.

H. B. 68, A BILL TO BE ENTITLED AN ACT TO EXTEND THE HOURS DURING WHICH THE INTENTIONAL SWEEPING OF GAME LANDS WITH LIGHTS AND THE INTENTIONAL SHINING OF LIGHTS ON DEER ARE PROHIBITED IN IREDELL COUNTY.

Representative Brawley offers Amendment No. 1 which is adopted. This amendment changes the bill from local to public.

Representative Brawley offers Amendment No. 2 which is adopted. This amendment changes the title.

The bill, as amended, passes its second reading, by electronic vote (105-0), and remains on the Calendar.

H. B. 102, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF DAY-CARE FACILITY.

On motion of Representative Keesee, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading by electronic vote (109-1).

Representative Hightower objects to the third reading. The bill remains on the Calendar.

On motion of Representative Hunt, seconded by Representative James, the House adjourns to reconvene February 9, 1983 at 1:30 p.m.

TWENTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Wednesday, February 9, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend J. Dewey Hobbs, Jr., First Baptist Church, Marion, North Carolina.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of February 8 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Clark, Gentry, Lambeth, and B. Woodard for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Lilley for the Committee on Local Government No. 1:

H. B. 92, A BILL TO BE ENTITLED AN ACT TO ALLOW THE NEWTON-CONOVER AND THE CATAWBA COUNTY SCHOOL UNIT BOARDS OF EDUCATION TO PAY THEIR TEN-MONTH PERSONNEL ON OR BEFORE THE FIFTEENTH DAY OF EACH MONTH, with a favorable report.

H. B. 138, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE MEMBERS OF THE GREENVILLE UTILITIES COMMISSION MAY FIX THEIR OWN SALARIES, with a favorable report.

By Representative Fussell for the Committee on Highway Safety:

H. B. 83, A BILL TO BE ENTITLED AN ACT TO PERMIT ASSISTANT FIRE MARSHALS TO USE A RED LIGHT ON THEIR VEHICLES, with a favorable report, as amended.

By Representative Lutz for the Committee on Local Government No. 2:

H.B. 126, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE WHEN THE TERM OF OFFICE OF THE SHERIFF OF CLEVELAND COUNTY BEGINS, IN ORDER TO CONFORM TO GENERAL LAW, with a favorable report, as amended.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Lilley, Anderson, Barker, Brannan, Brawley, Brown, Chapin, Creecy, Gillam, Greenwood, Huskins, James, Jones, Lacey, Lambeth, McAlister, Murphy, Nash, Owens, Rhodes, Tyndall, Tyson, and Warren:

H. B. 158, A BILL TO BE ENTITLED AN ACT TO INCREASE THE INHERITANCE TAX CREDIT FOR CLASS A BENEFICIARIES, is referred to the Committee on Finance.

By Representative Black:

H. B. 159, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO FAMILY SUPPORT CENTER, INC., FOR THE 1983-84 FISCAL YEAR, is referred to the Committee on Appropriations.

By Representative Helms:

H. B. 160, A BILL TO BE ENTITLED AN ACT TO EXTEND THE EFFECTIVE DATE OF PROBATIONARY OR TEMPORARY CERTIFICATES ISSUED TO NORTH CAROLINA CODE OFFICIALS, is referred to the Committee on State Government.

By Representatives Lilley, Beall, Holt, and Jordan:

H. B. 161, A BILL TO BE ENTITLED AN ACT TO UPDATE THE INTERNAL REVENUE CODE REFERENCE USED BY CORPORATIONS IN DETERMINING STATE NET INCOME AND TO CLARIFY THE APPLICABILITY OF SUBSEQUENT AMENDMENTS TO THE CODE, is referred to the Committee on Finance.

By Representative Gillam:

H. B. 162, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 66, ARTICLE 19, BUSINESS OPPORTUNITY SALES, is referred to the Committee on Judiciary No. 4.

By Representative Evans:

H. B. 163, A BILL TO BE ENTITLED ANACT TO AMEND THE QUALIFICATIONS FOR LICENSURE IN ARCHITECTURE, is referred to the Committee on State Government.

By Representatives Tennille, Auman, Childress, Fenner, Hauser, Kennedy, Miller, Thomas, and Womble:

H. B. 164, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS FOR SCREENING FOR NEURAL TUBE DEFECTS, is referred to the Committee on Appropriations.

By Representative Hunt:

H. B. 165, A BILL TO BE ENTITLED AN ACT TO DEFINE THE TERM OF THE LEGISLATIVE RESEARCH COMMISSION AND TO ALLOW THE LEGISLATIVE RESEARCH COMMISSION TO CONTINUE TO ACT CONCERNING THE STATE'S INTEREST IN RAILROAD PROPERTIES, is referred to the Committee on Rules and Operation of the House.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S. B. 18, A BILL TO BE ENTITLED AN ACT TO AMEND DOMICILIARY HOME COMMUNITY ADVISORY COMMITTEES, is read the first time and is referred to the Committee on Aging.

S. B. 32, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 110 OF THE GENERAL STATUTES TO PROVIDE FOR THE USE OF UNEMPLOYMENT COMPENSATION BENEFITS FOR CHILD SUPPORT, is read the first time and is referred to the Committtee on Judiciary No. 4.

S. B. 35, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE NUMBER, ELECTION, TERM AND CLASSIFICATION OF STATE BANK DIRECTORS, is read the first time and is referred to the Committee on Banks and Thrift Institutions.

COMMITTEE ASSIGNMENTS

The following standing committee is announced by the Speaker.

COMMITTEE ON HOUSING: Representative Brannan, Chairman; Representatives Barnes and Blue, Vice Chairmen; Representatives Beard, Brawley, Brubaker, Bumgardner, Colton, Cook, N. J. Crawford, Bruce Ethridge, Gentry, Hauser, Helms, Holmes, Hunt, James, Lancaster, Lee, Matthews, Pulley, and Watkins.

CALENDAR

Action is taken on the following:

H. B. 68, A BILL TO BE ENTITLED AN ACT TO EXTEND THE HOURS DURING WHICH THE INTENTIONAL SWEEPING OF GAME LANDS WITH LIGHTS AND THE INTENTIONAL SHINING OF LIGHTS ON DEER ARE PROHIBITED IN ADDITIONAL COUNTIES.

The bill, as amended, passes its third reading, by electronic vote (106-0), and is ordered engrossed and sent to the Senate.

H. B. 102, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF DAY-CARE FACILITY.

The bill, as amended, passes its third reading, by electronic vote (105-2), and is ordered engrossed and sent to the Senate.

H. B. 43, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN CHANGES IN THE GOVERNOR'S ADVISORY COUNCIL ON AGING, passes its second reading, by electronic vote (108-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S. B. 6, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROCESS OF CERTAIN APPEALS BY AREA MENTAL HEALTH, MENTAL RETARDATION

AND SUBSTANCE ABUSE AUTHORITIES, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 11, A BILL TO BE ENTITLED AN ACT TO ALLOW AREA MENTAL HEALTH, MENTAL RETARDATION, AND SUBSTANCE ABUSE BOARD MEMBERSHIP TO INCLUDE UP TO TWENTY-FIVE MEMBERS, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

H. B. 94, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN REGISTERED INSTRUMENTS, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 35, A BILL TO BE ENTITLED AN ACT TO REPEAL CERTAIN OBSOLETE CRIMINAL STATUTES REGARDING VAGRANCY AND TRAMPS, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

On motion of Representative Hunt, seconded by Representative Hightower, the House adjourns to reconvene February 10, 1983 at 1:30 p.m.

TWENTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Thursday, February 10, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Dr. Dudley Crawford, St. Andrews College, Laurinburg, North Carolina.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of February 9 has been examined and found correct. Upon his motion the Journal is approved as written.

Leaves of absence are granted Representatives Brubaker, Edwards, Gentry, Jeralds, and Musselwhite for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Brennan for the Committee on Human Resources:

S. B. 7, A BILL TO BE ENTITLED AN ACT TO CLARIFY LIABILITY FOR PAYMENT FOR LONG-TERM HOSPITALIZED CHILDREN, with a favorable report.

S. B. 8, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPART-

MENT OF HUMAN RESOURCES TO ACT AS CONTRACTUAL INTERMEDIARY WITH THE FEDERAL GOVERNMENT TO ASSIST RECOVERY BY COUNTIES OF INTERIM WELFARE PAYMENTS, with a favorable report.

S. B. 10, A BILL TO BE ENTITLED AN ACT TO AMEND G.S. 108A-24, 108A-41, AND 108A-42 TO CLARIFY PUBLIC ASSISTANCE PROGRAM DISABILITY, with a favorable report.

S. B. 45, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO G.S. 122-35.53, ALLOCATION OF FUNDS TO AREA PROGRAMS, with a favorable report.

By Representative Quinn for the Committee on Finance:

H. B. 128, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 3 OF CHAPTER 20 OF THE GENERAL STATUTES RELATING TO AUTHORITY TO PROVIDE SPECIAL SERVICES, with a favorable report.

H. B. 147, A BILL TO BE ENTITLED AN ACT TO ALLOW ALL HOSPITALS OWNED AND OPERATED BY A COUNTY TO RECEIVE SEMIANNUAL SALES TAX REFUNDS, with a favorable report.

By Representative Lambeth for the Committee on Wildlife Resources:

H. B. 85, A BILL TO BE ENTITLED AN ACT TO REGULATE HUNTING IN LENOIR COUNTY, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for February 14, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 109, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE WILDLIFE PRESERVE AND BIRD SANCTUARY IN ARROWHEAD BEACH SUBDIVISION, CHOWAN COUNTY, with a favorable report.

By Representative Miller for the Committee on Judiciary No. 1:

H. B. 37, A BILL TO BE ENTITLED AN ACT TO REPEAL CERTAIN OBSOLETE CRIMINAL STATUTES REGARDING JAIL CONFINEMENTS, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

On motion of Representative Hackney, the substitute bill is re-referred to the Committee on Law Enforcement. The original bill is placed on the Unfavorable Calendar.

By Representative Bumgardner for the Committee on Transportation:

H. B. 148, A BILL TO BE ENTITLED AN ACT TO INCREASE THE INTEREST RATE PAID ON HIGHWAY CONDEMNATION JUDGMENTS TO CONFORM TO THE LEGAL INTEREST RATE, with a favorable report, as amended.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Anderson, Barker, Black, Bob Etheridge, Jones, and Warren:

H. B. 166, A BILL TO BE ENTITLED AN ACT TO PERMIT RATE DEVIATIONS IN WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY INSURANCE, is referred to the Committee on Insurance.

By Representative Bumgardner:

H. B. 167, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 20 TO DEFINE MUNICIPALITIES FOR THE PURPOSE OF ESTABLISHING SPEED ZONES TO INCLUDE ONLY THOSE WITH FUNCTIONING GOVERNMENTS, is referred to the Committee on Transportation.

By Representative Bumgardner:

H. B. 168, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO USE STATE AND FEDERAL FUNDS TO CONSTRUCT, MAINTAIN, LEASE OR OTHERWISE PROVIDE FOR COMMUTER AND RIDESHARING PARKING, is referred to the Committee on Transportation.

By Representative Bumgardner:

H. B. 169, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 136 TO AUTHORIZE HIGHWAY CONTRACTS WITHOUT COMPETITIVE BIDDING, is referred to the Committee on Transportation.

By Representative Helms:

H. B. 170, A BILL TO BE ENTITLED AN ACT TO AMEND THE JUDICIAL RETIREMENT ACT, is referred to the Committee on Courts and Administration of Justice.

By Representatives Spaulding, Adams, Ballance, Blue, Edwards, Gist, Hauser, Jeralds, and Locks:

H. B. 171, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON RECEIVING A SUBSTANTIAL PLURALITY OF THE VOTES IN THE PRIMARY FOR OTHER THAN A COUNTY OR MUNICIPAL OFFICE SHALL BE THE NOMINEE OF THE PARTY, is referred to the Committee on Election Laws.

By Representative Fletcher:

H. B. 172, A BILLTO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROMOTE PRODUCTION OF THE OUTDOOR DRAMA "FROM THIS DAY FORWARD", is referred to the Committee on Cultural Resources.

By Representatives Brawley, Allran, Beall, Berry, Blue, Bowen, Brannan, Brennan, J. W. Crawford, Diamont, Easterling, Economos, Bob Etheridge, Fletcher, Foster, Gillam, Gist, Greenwood, Hasty, Hauser, Huskins, James, Jones, Jordan, Kennedy, Lacey, Locks, Nash, Owens, Payne, Rabon, Redding, Robinson, Tennille, Tyson, and Warren:

H. J. R. 173, A JOINT RESOLUTION MEMORIALIZING CONGRESS TO REPEAL THE RECENTLY ENACTED WITHHOLDING TAX ON INTEREST AND DIVIDENDS, is referred to the Committee on Rules and Operation of the House.

By Representatives Gillam, Barker, Chapin, Fulcher, James, Lutz, and Warren:

H. B. 174, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ADDITIONAL INCOME TAX PERSONAL EXEMPTION FOR A FARMER WHOSE SPOUSE WORKS ON THE FARM BUT HAS NO REPORTABLE INCOME, is referred to the Committee on Finance.

By Representatives Gist, Berry, Childress, Edwards, Grimsley, Hauser, Jarrell, Jeralds, Kennedy, Locks, and Seymour:

H. B. 175, A BILL TO BE ENTITLED AN ACT TO IMPOSE A PRIVILEGE LICENSE TAX ON OPERATORS OF ELECTRONIC VIDEO GAMES, is referred to the Committee on Finance.

By Representative Bob Etheridge:

H. B. 176, A BILL TO BE ENTITLED AN ACT TO PERMIT THE TOWN OF LILLINGTON TO IMPOSE A TAX ON AUTOMOBILES OF FIVE DOLLARS, is referred to the Committee on Finance.

By Representatives Womble, Brawley, Cochrane, Diamont, Foster, Hauser, Jeralds, Slaughter, and C. Woodard:

H. B. 177, A BILL TO BE ENTITLED AN ACT PROVIDING COMPENSATION FOR INNOCENT VICTIMS OF CRIME, is referred to the Committee on Finance.

By Representative Miller:

H. B. 178, A BILL TO BE ENTITLED AN ACT TO CREATE THE OFFENSE OF MISDEMEANOR EMBEZZLEMENT, is referred to the Committee on Judiciary No. 1.

By Representatives Hackney, Barnes, Blue, Brennan, Cochrane, Colton, Cook, Diamont, Easterling, Economos, Foster, Hayden, Jeralds, Lutz, Musselwhite, Nesbitt, Stamey, Tennille, Thomas, Warren, and C. Woodard:

H. B. 179, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 50 OF THE GENERAL STATUTES TO ESTABLISH PROCEDURES TO INSURE PAYMENT OF CHILD SUPPORT, is referred to the Committee on Judiciary No. 1.

By Representatives Hackney, Barnes, Blue, Brennan, Colton, Cook, Diamont, Easterling, Economos, Foster, Hauser, Hayden, Jeralds, Locks, Lutz, Musselwhite, Nesbitt, Stamey, Tennille, Thomas, Warren, and C. Woodard:

H. B. 180, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 15A OF THE GENERAL STATUTES TO ESTABLISH PROCEDURES TO INSURE PAYMENT OF CHILD SUPPORT, is referred to the Committee on Judiciary No. 1.

By Representatives Slaughter, Hudson, Quinn, and Thomas:

H. B. 181, A BILL TO BE ENTITLED AN ACT TO EXPAND THE EXTRATERRITORIAL JURISDICTION OF THE NORWOOD TOWN POLICE TO TWO MILES, is referred to the Committee on Local Government No. 1.

MESSAGE FROM THE SENATE

The following are received from the Senate:

S. B. 31, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE TERMINATION OF PARENTAL RIGHTS STATUTE, is read the first time and is referred to the Committee on Judiciary No. 3.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. B. 6, AN ACT TO CLARIFY THE PROCESS OF CERTAIN APPEALS BY AREA MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE AUTHORITIES.

S. B. 11, AN ACT TO ALLOW AREA MENTAL HEALTH, MENTAL RETARDATION, AND SUBSTANCE ABUSE BOARD MEMBERSHIP TO INCLUDE UP TO TWENTY-FIVE MEMBERS.

CALENDAR

Action is taken on the following:

H. B. 92, A BILL TO BE ENTITLED AN ACT TO ALLOW THE NEWTON-CONOVER AND THE CATAWBA COUNTY SCHOOL UNIT BOARDS OF EDUCATION TO PAY THEIR TEN-MONTH PERSONNEL ON OR BEFORE THE FIFTEENTH DAY OF EACH MONTH.

On motion of Representative Watkins, the bill is re-referred to the Committee on Appropriations.

H. B. 138, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE MEMBERS OF THE GREENVILLE UTILITIES COMMISSION MAY FIX THEIR OWN SALARIES, passes its second reading and without objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 126, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE WHEN THE TERM OF OFFICE OF THE SHERIFF OF CLEVELAND COUNTY BEGINS, IN ORDER TO CONFORM TO GENERAL LAW.

On motion of Representative Lutz, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Committee Substitute for H. B. 73, A BILL TO BE ENTITLED AN ACT TO PERMIT ENFORCEMENT OF CHILD SUPPORT AND CUSTODY AND ALIMONY JUDGMENTS WHILE ON APPEAL.

Representative Watkins moves that consideration of the bill be postponed until February 15, 1983.

A division having been called, the bill is postponed until February 15, 1983 by electronic vote (79-32).

H. B. 83, A BILL TO BE ENTITLED AN ACT TO PERMIT ASSISTANT FIRE MARSHALS TO USE A RED LIGHT ON THEIR VEHICLES.

On motion of Representative Watkins, Committee Amendment No. 1 is adopted.

Representative Watkins offers Amendment No. 2 which is adopted. This amendment changes the title.

The bill, as amended, passes its second reading, by electronic vote (112-0), and remains on the Calendar.

On motion of Representative Hunt, seconded by Representative Quinn, the House adjourns to reconvene February 11, 1983 at 11:00 a.m.

TWENTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Friday, February 11, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Edwards.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of February 10 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Beard, Chapin, Cook, Fletcher, Gentry, Hightower, James, and Roberts for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Mauney:

H. B. 182, A BILL TO BE ENTITLED AN ACT TO IMPOSE A GROSS RECEIPTS TAX ON RECEIPTS FROM VIDEO GAME MACHINES, is referred to the Committee on Finance.

By Representatives Ligon, Brown, and J. Hughes:

H. B. 183, A BILL TO BE ENTITLED AN ACT TO REQUIRE A REFERENDUM BEFORE ANNEXATION IF REQUESTED BY FIFTEEN PERCENT OF THE VOTERS IN THE AREA TO BE ANNEXED OR THE EXISTING CITY, is referred to the Committee on Local Government No. 1.

By Representative Economos:

H.B. 184, A BILL TO BE ENTITLED AN ACT TO CREATE AN INJURED ARMED ROBBERY VICTIM ASSISTANCE PROGRAM, is referred to the Committee on Judiciary No. 2.

By Representative Lilley:

H. B. 185, A BILL TO BE ENTITLED AN ACT TO PROVIDE ECONOMIC EXPANSION IN THE STATE OF NORTH CAROLINA BY ALLOWING A PARTIAL STATE INCOME TAX CREDIT FOR THE AMOUINT OF AD VALOREM TAXES PAID ON INVENTORY AND BY REQUIRING CERTAIN CORPORATIONS TO ESTIMATE THEIR STATE INCOME TAX LIABILITY AND PAY THE ESTIMATED TAX IN INSTALLMENTS, is referred to the Committee on Finance.

By Representatives Brennan and Easterling:

H. B. 186, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 110 OF THE GENERAL STATUTES TO ESTABLISH PROCEDURES FOR THE PROVISION OF NONRECIPIENT SERVICES AS REQUIRED BY FEDERAL LAW, is referred to the Committee on Human Resources.

By Representative Lilley:

H. B. 187, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE EXEMPTION OF OUT-OF-STATE SALES OF PRINTED MATERIALS FROM TAXATION, is

referred to the Committee on Finance.

By Representatives Holt, Allran, Anderson, Beard, Brawley, Brubaker, Bumgardner, Childress, Colton, Fletcher, Foster, Gillam, Grimsley, Hauser, C. Hughes, J. Hughes, James, Jordan, Keesee, Lacey, Lambeth, Lilley, Mauney, Robinson, Seymour, Slaughter, Tyson, and Womble:

H. B. 188, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT REFERENDA ON PROPOSED CONSTITUTIONAL AMENDMENTS BE HELD ONLY ON THE DATE OF THE STATEWIDE GENERAL ELECTION, is referred to the Committee on Constitutional Amendments.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S. B. 62, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A TECHNICIAN WITH A GENERAL LICENSE CAN TEST SPEED-MEASURING INSTRUMENTS, is read the first time and is referred to the Committee on Judiciary No. 2.

Committee Substitute for S.B. 72, A BILL TO BE ENTITLED AN ACT TO MAKE DOGS AND OTHER ANIMALS IN A PERSON'S POSSESSION THE SUBJECT OF LARCENY, is read the first time and is referred to the Committee on Judiciary No. 2.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 6, AN ACT TO ALLOW THE SECRETARY OF REVENUE TO MAKE CONTRACTS CONCERNING THE HANDLING OF BULK MAIL.

H. B. 26, AN ACT TO ALLOW OPERATION OF A SNACK BAR AND CAFETERIA IN THE STATE LEGISLATIVE BUILDING AND DELETE THE AUTHORIZATION FOR CONCESSION STANDS IN THE STATE CAPITOL WHILE THE LEGISLATURE IS IN SESSION.

CALENDAR

Action is taken on the following:

H. B. 128, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 3 OF CHAPTER 20 OF THE GENERAL STATUTES RELATING TO AUTHORITY TO PROVIDE SPECIAL SERVICES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Berry, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Childress, Church, Clark, Coble, Cochrane, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Foster, Fulcher, Fussell, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Robinson, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille,

Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 107.

Voting in the negative: Representative Ligon.

Excused absences: Representatives Beard, Chapin, Cook, Fletcher, Gentry, Hightower, James, and Roberts — 8.

H. B. 83, A BILL TO BE ENTITLED AN ACT TO PERMIT ASSISTANT FIRE MARSHALS TO USE A RED LIGHT AND SIREN ON THEIR VEHICLES.

The bill, as amended, passes its third reading, by electronic vote (106-0), and is ordered engrossed and sent to the Senate.

S. B. 7, A BILL TO BE ENTITLED AN ACT TO CLARIFY LIABILITY FOR PAYMENT FOR LONG-TERM HOSPITALIZED CHILDREN, passes its second reading, by electronic vote (105-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 8, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF HUMAN RESOURCES TO ACT AS CONTRACTUAL INTERMEDIARY WITH THE FEDERAL GOVERNMENT TO ASSIST RECOVERY BY COUNTIES OF INTERIM WELFARE PAYMENTS, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 10, A BILL TO BE ENTITLED AN ACT TO AMEND G.S. 108A-24, 108A-41, AND 108A-42 TO CLARIFY PUBLIC ASSISTANCE PROGRAM DISABILITY, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 45, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO G. S. 122-35.53, ALLOCATION OF FUNDS TO AREA PROGRAMS.

Representative Adams moves that the bill be re-referred to the Committee on Appropriations.

Representative Adams withdraws the motion to re-refer.

On motion of Representative Adams, consideration of the bill is postponed until February 15, 1983.

H. B. 147, A BILL TO BE ENTITLED AN ACT TO ALLOW ALL HOSPITALS OWNED AND OPERATED BY A COUNTY TO RECEIVE SEMIANNUAL SALES TAX REFUNDS, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 109, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE WILDLIFE PRESERVE AND BIRD SANCTUARY IN ARROWHEAD BEACH SUBDIVISION, CHOWAN COUNTY, passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 148, A BILL TO BE ENTITLED AN ACT TO INCREASE THE INTEREST RATE PAID ON HIGHWAY CONDEMNATION JUDGMENTS TO CONFORM TO THE LEGAL INTEREST RATE.

On motion of Representative Bumgardner, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

On motion of Representative Hunt, seconded by Representative Miller, the House adjourns to reconvene Monday, February 14, 1983 at 8:00 p. m.

TWENTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Monday, February 14, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Fussell.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of February 11 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Beard, Foster, Gentry, Lambeth, and Watkins for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Clark:

H. B. 189, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE CRIME OF ARMED ROBBERY, is referred to the Committee on Judiciary No. 2.

By Representatives James and Evans:

H. B. 190, A BILL TO BE ENTITLED AN ACT TO ALLOW VARIOUS TOWNS TO INCREASE THE TAX LEVY ON MOTOR VEHICLES TO A MAXIMUM OF FIVE DOLLARS, is referred to the Committee on Finance.

By Representatives Berry, Gist, Hauser, and Jeralds:

H. J. R. 191, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE TEACHING OF COMPUTER LITERACY IN THE PUBLIC SCHOOLS AND COMMUNITY COLLEGES, is referred to the Committee on Rules and Operation of the House.

By Representative Hackney:

H. B. 192, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AGGRAVAT-

ING FACTOR REGARDING PECUNIARY GAIN UNDER THE FAIR SENTENCING ACT, is referred to the Committee on Judiciary No. 1.

By Representatives Wright, Adams, Helms, C. Hughes, Hunter, Lancaster, Miller, Nesbitt, Ramsey, Tennille, Watkins, and Wicker:

H. B. 193, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS CONCERNING THE ADVISORY BUDGET COMMISSION TO BOND ACTS TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE ON SEPARATION OF POWERS, is referred to the Committee on Judiciary No. 2.

By Representatives Nesbitt, Barnes, Clark, Payne, and Spaulding:

H. B. 194, A BILL TO BE ENTITLED AN ACT TO REPEAL THE POWER TO APPOINT SPECIAL CONSERVATION OFFICERS, is referred to the Committee on Wildlife Resources.

By Representatives Nesbitt, Barnes, Clark, C. Hughes, Payne, and Spaulding:

H. B. 195, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEPARTMENT OF CORRECTION'S RULE-MAKING PROCEDURES, is referred to the Committee on State Government.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for S. B. 12, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT PARENTAL CONSENTS TO ADOPTIONS BE DULY SWORN, is read the first time and is referred to the Committee on Judiciary No. 2.

S. B. 68, A BILL TO BE ENTITLED AN ACT TO AMEND AND CLARIFY THE PENALTIES FOR DRIVING ON A PERMANENTLY REVOKED LICENSE, is read the first time and is referred to the Committee on Highway Safety.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 64, AN ACT TO ALLOW THE CITY OF WINSTON-SALEM TO INCREASE THE TAX LEVY ON MOTOR VEHICLES TO A MAXIMUM OF FIVE DOLLARS.

H. B. 93, AN ACT TO AUTHORIZE THE CITY OF WINSTON-SALEM TO SET THE INTEREST RATE ON LOCAL ASSESSMENTS IN ACCORDANCE WITH GENERAL LAW.

H. B. 145, AN ACT TO CLARIFY THE BOUNDARY BETWEEN TYRRELL AND WASHINGTON COUNTIES.

S. B. 7, AN ACT TO CLARIFY LIABILITY FOR PAYMENT FOR LONG-TERM HOSPITALIZED CHILDREN.

S. B. 8, AN ACT TO AUTHORIZE THE DEPARTMENT OF HUMAN RESOURCES TO ACT AS CONTRACTUAL INTERMEDIARY WITH THE FEDERAL GOVERNMENT TO ASSIST RECOVERY BY COUNTIES OF INTERIM WELFARE PAYMENTS.

S.B. 10, AN ACT TO AMEND G.S. 108A-24, 108A-41, AND 108A-42 TO CLARIFY PUBLIC ASSISTANCE PROGRAM DISABILITY.

CALENDAR

Action is taken on the following:

Committee Substitute for H.B. 85, A BILL TO BE ENTITLED AN ACT TO REGULATE HUNTING IN LENOIR COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 128, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 3 OF CHAPTER 20 OF THE GENERAL STATUTES RELATING TO AUTHORITY TO PROVIDE SPECIAL SERVICES.

On motion of Representative Bumgardner, consideration of the bill is postponed until February 15, 1983.

On motion of Representative Hunt, seconded by Representative Warren, the House adjourns to reconvene February 15, 1983 at 1:30 p.m.

TWENTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, February 15, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Berry.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of February 14 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Auman, Foster, Gentry, Helms, Lambeth, Robinson, and Watkins for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Church for the Committee on State Government:

H. B. 135, A BILL TO BE ENTITLED AN ACT TO AMEND THE AGE REQUIREMENT FOR PSYCHOLOGISTS TO CONFORM WITH G. S. 93B-9, with a favorable report.

H. B. 136, A BILL TO BE ENTITLED AN ACT TO CLARIFY FEES CHARGED BY THE PRIVATE PROTECTIVE SERVICES BOARD, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

H. B. 163, A BILL TO BE ENTITLED AN ACT TO AMEND THE QUALIFICATIONS FOR LICENSURE IN ARCHITECTURE, with a favorable report.

By Representative Wright for the Committee on Judiciary No. 2:

H. B. 95, A BILL TO BE ENTITLED AN ACT REGARDING AMBULANCE SERVICE IN HOKE COUNTY, with a favorable report, as amended.

S.B. 9, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 110 OF THE GENERAL STATUTES TO ENSURE ACCESS TO THE FEDERAL PARENT LOCATOR SERVICES IN PARENTAL KIDNAPPING AND CHILD CUSTODY CASES, with a favorable report.

By Representative Colton for the Committee on Cultural Resources:

H. B. 172, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PROMOTE PRODUCTION OF THE OUTDOOR DRAMA "FROM THIS DAY FORWARD", with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

By Representative Miller for the Committee on Judiciary No. 1:

H.B. 36, A BILL TO BE ENTITLED AN ACT TO REPEAL CERTAIN OBSOLETE CRIMINAL STATUTES REGARDING DISTURBANCES, with a favorable report, as amended.

CALENDAR

Action is taken on the following:

H. B. 128, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 3 OF CHAPTER 20 OF THE GENERAL STATUTES RELATING TO AUTHORITY TO PROVIDE SPECIAL SERVICES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Allran, Anderson, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Fletcher, Fulcher, Fussell, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Holmes, Hudson, C. Hughes, J. Hughes, Hunt, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Redding, Rhodes, Roberts, Seymour, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 100.

Voting in the negative: Representative Ligon.

Excused absences: Representatives Auman, Foster, Gentry, Helms, Lambeth, Robinson, and Watkins — 7.

Committee Substitute for H. B. 73, A BILL TO BE ENTITLED AN ACT TO PERMIT ENFORCEMENT OF CHILD SUPPORT AND CUSTODY AND ALIMONY JUDGMENTS WHILE ON APPEAL.

On motion of Representative Pulley, the bill is re-referred to the Committee on Judiciary No. 4.

S.B. 45, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO G.S. 122-35.53, ALLOCATION OF FUNDS TO AREA PROGRAMS.

On motion of Representative Brennan, the bill is re-referred to the Committee on Appropriations.

On motion of Representative Hunt, seconded by Representative Thomas, the House adjourns to reconvene February 16, 1983 at 1:30 p.m.

TWENTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, February 16, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Helms.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of February 15 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Auman, Foster, Gentry, Lambeth, and Watkins for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Fussell for the Committee on Highway Safety:

H. B. 111, A BILL TO BE ENTITLED AN ACT TO AMEND G.S. 20-88 RELATING TO PROPERTY-HAULING VEHICLES, with a favorable report, as amended.

H. B. 116, A BILL TO BE ENTITLED AN ACT TO ALLOW THE HEAD OF A LOCAL LAW ENFORCEMENT AGENCY TO APPOINT TRAFFIC CONTROL OFFICERS, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for February 18, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 119, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 20-16.1 RELATING TO MANDATORY SUSPENSION OF DRIVER'S LICENSE, with a favorable report, as amended.

H. B. 120, A BILL TO BE ENTITLED AN ACT TO AMEND G.S. 44A-4 RELATING TO SALE OF MOTOR VEHICLES TO SATISFY LIENS, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for February 18, 1983. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Fussell:

H. B. 196, A BILL TO BE ENTITLED AN ACT TO AMEND G.S. 20-57(e) PERTAINING TO THE DIVISION ISSUING CERTIFICATE OF TITLES AND REGISTRATION CARDS, is referred to the Committee on Highway Safety.

By Representative Fussell:

H. B. 197, A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL BRAKE LIGHTS TO BE RED AN ALL OTHER LIGHTS ON THE REAR OF ANY MOTOR VEHICLE TO BE AMBER, YELLOW, OR WHITE, is referred to the Committee on Highway Safety.

By Representative Fussell:

H. B. 198, A BILL TO BE ENTITLED AN ACT TO EXEMPT NONRESIDENT MILITARY DEPENDENTS FROM DRIVER'S LICENSE REQUIREMENTS, is referred to the Committee on Highway Safety.

By Representative Fussell:

H. B. 199, A BILL TO BE ENTITLED AN ACT TO PERMIT THE ODOMETER DISCLOSURE TO BE MADE ON THE CERTIFICATE OF TITLE, is referred to the Committee on Highway Safety.

By Representative Fussell:

H. B. 200, A BILL TO BE ENTITLED AN ACT TO REDEFINE THE REQUIRED EXHAUST SYSTEMS ON MOTOR VEHICLES, is referred to the Committee on Highway Safety.

By Representatives Hunter, Beall, Beam, N. J. Crawford, Enloe, Greenwood, McAlister, Nesbitt, Robinson, and Tyson:

H. B. 201, A BILL TO BE ENTITLED AN ACT TO REQUIRE A MAJORITY OF LANDOWNERS FOR THE CREATION OF A RURAL FIRE PROTECTION DISTRICT, is referred to the Committee on Election Laws.

By Representatives McAlister, Anderson, Beall, Berry, Childress, Enloe, Greenwood, Hauser, C. Hughes, Hunter, Lilley, Owens, and Tyson;

H. B. 202, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROVISIONS FOR CERTIFICATION OF LOCAL TAXING OFFICIALS AND TO PROVIDE A CONTINUING EDUCATION PROGRAM FOR ALL PERSONS ENGAGED IN THE APPRAISAL OF PROPERTY FOR TAXATION, is referred to the Committee on Finance.

By Representatives McAlister, Anderson, Beall, Berry, Childress, Enloe, Greenwood, Hauser, C. Hughes, Hunter, Lilley, Owens, and Tyson:

H. B. 203, A BILL TO BE ENTITLED AN ACT TO REVISE THE PROCEDURE FOR PROTEST AND APPEAL OF PROPERTY TAX LISTINGS AND ASSESSMENTS, is referred to the Committee on Finance.

By Representatives McAlister, Anderson, Beall, Berry, Childress, Enloe, Greenwood, Hauser, C. Hughes, Hunter, Lilley, Owens, and Tyson:

H. B. 204, A BILL TO BE ENTITLED AN ACT TO AMEND THE MACHINERY ACT, is referred to the Committee on Finance.

By Representatives McAlister, Anderson, Beall, Berry, Childress, Enloe, Greenwood, Hauser, C. Hughes, Hunter, Lilley, Owens, and Tyson:

H. B. 205, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ADMINISTRATION OF THE PROPERTY TAX, is referred to the Committee on Finance.

By Representatives McAlister, Anderson, Beall, Berry, Childress, Enloe, Greenwood, Hauser, C. Hughes, Hunter, Lilley, Owens, and Tyson:

H. B. 206, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE LISTING OF REAL AND PERSONAL PROPERTY IN TIME-SHARING ARRANGEMENTS, is referred to the Committee on Finance.

By Representatives McAlister, Anderson, Beall, Berry, Childress, Enloe, Greenwood, Hauser, C. Hughes, Hunter, Lilley, Owens, and Tyson:

H. B. 207, A BILL TO BE ENTITLED AN ACT TO TAX LESSEES AND USERS OF PROPERTY OWNED BY THE UNITED STATES, THE STATE OR ITS POLITICAL SUBDIVISIONS AND USED BY THE LESSEES OR USERS FOR PRIVATE PURPOSES, is referred to the Committee on Finance.

By Representatives McAlister, Anderson, Beall, Berry, Childress, Enloe, Greenwood, Hauser, C. Hughes, Hunter, Lilley, Owens, and Tyson:

H. B. 208, A BILL TO BE ENTITLED AN ACT TO MAKE APPROPRIATIONS FOR STATE LAND RECORDS ASSISTANCE TO LOCAL GOVERNMENT, is referred to the Committee on Appropriations.

By Representatives Stamey, Fussell, Lambeth, Redding, and Slaughter:

H. B. 209, A BILL TO BE ENTITLED AN ACT TO EXEMPT TOW DOLLIES FROM CERTIFICATE OF TITLE AND REGISTRATION REQUIREMENTS FOR MOTOR VEHICLES, is referred to the Committee on Highway Safety.

By Representatives Stamey. Fussell, and Slaughter:

H. B. 210, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSIONER OF MOTOR VEHICLES TO COLLECT A FEE TO COVER THE COSTS OF APPROVING EQUIPMENT FOR USE ON MOTOR VEHICLES, is referred to the Committee on Highway Safety.

By Representative Church:

H. B. 211, A BILL TO BE ENTITLED AN ACT TO AMEND THE NURSING HOME ADMINISTRATOR ACT, is referred to the Committee on State Government.

By Representative Church:

H. B. 212, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEVEN-MEMBER BOARD OF MORTUARY SCIENCE, TO SET THREE-YEAR TERMS, AND TO LIMIT SERVICE TO TWO CONSECUTIVE TERMS, is referred to the Committee on State Government.

By Representative Church:

H. B. 213, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 7 OF CHAPTER 90 OF THE GENERAL STATUTES RELATING TO THE BOARD OF OSTEOPATHIC EXAMINATION AND REGISTRATION AND TO PERMIT HIGHER REGISTRATION FEES, is referred to the Committee on State Government.

By Representative Church:

H. B. 214, A BILL TO BE ENTITLED AN ACT TO AMEND THE REQUIREMENTS FOR OPERATING RESIDENTIAL CHILD-CARE AND CHILD-PLACEMENT FACILITIES, is referred to the Committee on Human Resources.

By Representative Church:

H. B. 215, A BILL TO BE ENTITLED AN ACT TO AMEND THE REQUIREMENTS FOR OPERATING RESIDENTIAL MATERNITY CARE HOMES, is referred to the Committee on Human Resources.

By Representative Gillam:

H. B. 216, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A BOAT RAMP ON THE ROANOKE RIVER AT THE TOWN OF WILLIAMSTON, is referred to the Committee on Appropriations.

By Representative Gillam:

H. B. 217, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF WINDSOR TO COLLECT ON MOTOR VEHICLES A TAX OF NOT MORE THAN TWO DOLLARS, is referred to the Committee on Finance.

By Representative Gillam:

H. B. 218, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE ESTABLISHMENT OF A PUBLIC BOATING ACCESS AREA ON THE CASHIE RIVER NEAR THE TOWN OF WINDSOR, is referred to the Committee on Appropriations.

By Representatives Stamey, Adams, Blue, Cook, Fussell, and Musselwhite:

H. B. 219, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE WAKE COUNTY DEPUTY SHERIFFS TO PURCHASE THEIR REVOLVERS, is referred to the Committee on Law Enforcement.

By Representatives Evans, Adams, Coble, Bruce Ethridge, Hackney, and Payne:

H. B. 220, A BILL TO BE ENTITLED AN ACT TO MODIFY THE EXEMPTIONS UNDER THE COASTAL AREA MANAGEMENT ACT SO AS TO REGULATE MASSIVE CONVERSIONS FOR CORPORATE FARMING AND PEAT MINING, is referred to the Committee on Natural and Economic Resources.

By Representatives Evans, Adams, Barker, Coble, Bruce Ethridge, Payne, and Rabon:

H. B. 221, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COASTAL RESOURCES COMMISSION TO ISSUE GENERAL PERMITS UNDER THE COASTAL AREA MANAGEMENT ACT AND UNDER THE DREDGE AND FILL LAW, is referred to the Committee on Natural and Economic Resources.

By Representatives Evans, Adams, Barker, Coble, Bruce Ethridge, Payne, and Rabon:

H. B. 222, A BILL TO BE ENTITLED AN ACT TO EXPAND THE CIVIL PENALTIES FOR VIOLATIONS OF THE COASTAL AREA MANAGEMENT ACT, is referred to the Committee on Natural and Economic Resources.

By Representatives Evans, Adams, Barker, Coble, Bruce Ethridge, and Payne:

H. B. 223, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE COASTAL RESOURCES COMMISSION TO SET A FEE OF UP TO ONE HUNDRED DOLLARS FOR A CAMA MAJOR DEVELOPMENT PERMIT, is referred to the Committee on Natural and Economic Resources.

By Representatives Evans, Adams, Barker, Coble, Bruce Ethridge, and Payne:

H. B. 224, A BILL TO BE ENTITLED AN ACT TO PERMIT ALL INCORPORATED CITIES WITHIN THE COASTAL AREA TO NOMINATE MEMBERS OF THE COASTAL RESOURCES COMMISSION, is referred to the Committee on Natural and Economic Resources.

By Representatives Evans, Adams, Barker, Coble, Bruce Ethridge, Payne, and Rabon:

H. B. 225, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MEMBERSHIP OF THE COASTAL RESOURCES ADVISORY COUNCIL, is referred to the Committee on Natural and Economic Resources.

By Representatives Evans, Adams, Barker, Coble, Bruce Ethridge, and Payne:

H. B. 226, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT LOCAL GOVERNMENTS APPLY FOR MAJOR DEVELOPMENT PERMITS FOR ALL DEVELOPMENT UNDER THE COASTAL AREA MANAGEMENT ACT, is referred to the Committee on Natural and Economic Resources.

By Representatives Evans, Adams, Barker, Coble, Bruce Ethridge, Payne, and Rabon:

H. B. 227, A BILL TO BE ENTITLED AN ACT TO INCLUDE ESTUARINE WATER BEACHES IN THE BEACH ACCESS PROGRAM, is referred to the Committee on Natural and Economic Resources.

By Representatives Evans, Adams, Barker, Coble, Bruce Ethridge, Payne, and Rabon:

H. B. 228, A BILL TO BE ENTITLED AN ACT TO PROHIBIT DEVELOPMENT PURSUANT TO A CAMA PERMIT WHILE A REQUEST FOR A HEARING ON THAT PERMIT IS PENDING, is referred to the Committee on Natural and Economic Resources.

By Representatives Evans, Adams, Barker, Coble, Bruce Ethridge, Payne and Rabon:

H. B. 229, A BILL TO BE ENTITLED AN ACT TO DECREASE THE TIME ALLOTTED FOR THE CONSIDERATION OF PERMITS UNDER THE COASTAL AREA MANAGEMENT ACT, is referred to the Committee on Natural and Economic Resources.

By Representatives Evans, Adams, Barker, Coble, Bruce Ethridge, Payne, and Rabon:

H. B. 230, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCOME TAX CREDIT FOR CERTAIN REAL PROPERTY DONATED TO THE STATE, is referred to the Committee on Natural and Economic Resources.

By Representatives Evans, Adams, Barker, Coble, Bruce Ethridge, Payne, and Rabon:

H.B. 231, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE

ISSUANCE OF SPECIAL EMERGENCY PERMITS UNDER THE COASTAL AREA MANAGEMENT ACT, is referred to the Committee on Natural and Economic Resources.

By Representatives Evans, Adams, Coble, Bruce Ethridge, Payne, and Rabon:

H. B. 232, A BILL TO BE ENTITLED AN ACT TO GIVE CAMA INPUT INTO THE GRANTING OF PERMITS OUTSIDE THE COASTAL AREA THAT AFFECT WATER QUALITY IN THE COASTAL AREA, is referred to the Committee on Natural and Economic Resources.

By Representatives Beam, Bumgardner, Hunter, Mauney, and Roberts:

H. B. 233, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DELEGATION OF A MAGISTRATE AS ADMINISTRATIVE MAGISTRATE, is referred to the Committee on Courts and Administration of Justice.

CALENDAR

Action is taken on the following:

H. B. 95, A BILL TO BE ENTITLED AN ACT REGARDING AMBULANCE SERVICE IN HOKE COUNTY.

On motion of Representative DeVane, Committee Amendment No. 1 is adopted.

Representative Enloe offers Amendment No. 2 which is adopted. This amendment changes the title.

The bill, as amended, passes its second reading and remains on the Calendar.

H. B. 135, A BILL TO BE ENTITLED AN ACT TO AMEND THE AGE REQUIREMENT FOR PSYCHOLOGISTS TO CONFORM WITH G.S. 93B-9, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 163, A BILL TO BE ENTITLED AN ACT TO AMEND THE QUALIFICATIONS FOR LICENSURE IN ARCHITECTURE, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S. B. 9, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 110 OF THE GENERAL STATUTES TO ENSURE ACCESS TO THE FEDERAL PARENT LOCATOR SERVICES IN PARENTAL KIDNAPPING AND CHILD CUSTODY CASES, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

H.B. 36, A BILL TO BE ENTITLED AN ACT TO REPEAL CERTAIN OBSOLETE CRIMINAL STATUTES REGARDING DISTURBANCES.

On motion of Representative Hackney, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (109-2), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

On motion of Representative Hunt, seconded by Representative Hightower, the House adjourns to reconvene February 17, 1983 at 1:30 p.m.

TWENTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Thursday, February 17, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Edwards.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of February 16 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Foster, Gentry, Lambeth, Locks, and Watkins for today.

The Speaker rules that the electronic voting equipment is malfunctioning and the voting will be by voice vote.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Hayden for the Committee on Corporations:

S. B. 48, A BILL TO BE ENTITLED AN ACT TO ALLOW "P. C." IN A CORPORATE NAME, with a favorable report.

By Representative Quinn for the Committee on Finance:

H. B. 52, A BILL TO BE ENTITLED AN ACT TO ALLOW AN INCOME TAX DEDUCTION FOR CONTRIBUTIONS TO RADIO EMERGENCY ASSOCIATION OF CITIZENS TEAMS, with a favorable report.

H. B. 136, A BILL TO BE ENTITLED AN ACT TO CLARIFY FEES CHARGED BY THE PRIVATE PROTECTIVE SERVICES BOARD, with a favorable report.

H. B. 190, A BILL TO BE ENTITLED AN ACT TO ALLOW VARIOUS TOWNS TO INCREASE THE TAX LEVY ON MOTOR VEHICLES TO A MAXIMUM OF FIVE DOLLARS, with a favorable report.

By Representative Hunt for the Committee on Rules and Operation of the House:

H. J. R. 98, A JOINT RESOLUTION MEMORIALIZING THE LIFE AND WORK OF RAYMOND M. WHEELER, M.D., with a favorable report, as amended.

On motion of Representative Hunt, the rules are suspended and the resolution is placed before the House for immediate consideration.

Representative Helms offers Amendment No. 1 which is adopted.

The resolution, as amended, passes its second reading with 108 members voting in the affirmative and no members voting in the negative.

The resolution, as amended, passses its third reading and is ordered engrossed and sent to the Senate.

H. B. 165, A BILL TO BE ENTITLED AN ACT TO DEFINE THE TERM OF THE LEGISLATIVE RESEARCH COMMISSION AND TO ALLOW THE LEGISLATIVE RESEARCH COMMISSION TO CONTINUE TO ACT CONCERNING THE STATE'S INTEREST IN RAILROAD PROPERTIES, with a favorable report.

By Representative Miller for the Committee on Judiciary No. 1:

H. B. 151, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES RELATING TO PUBLIC ACCOUNTANTS, with an unfavorable report as to bill, favorable as to committee substitute bill and recommendation that the bill be re-referred to the Committee on Finance.

The substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Bumgardner for the Committee on Transportation:

H. B. 168, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO USE STATE AND FEDERAL FUNDS TO CONSTRUCT, MAINTAIN, LEASE OR OTHERWISE PROVIDE FOR COMMUTER AND RIDESHARING PARKING, with a favorable report.

By Representative Evans for the Committee on Banks and Thrift Institutions:

S. B. 35, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE NUMBER, ELECTION, TERM AND CLASSIFICATION OF STATE BANK DIRECTORS, with a favorable report and placed on the Calendar for February 21, 1983.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Beard, Clark, Edwards, Jeralds, and Tyson;

H. B. 234, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES TO ESTABLISH A MUSEUM SERVICE BRANCH OF THE NORTH CAROLINA MUSEUM OF HISTORY IN FAYETTEVILLE, is referred to the Committee on Cultural Resources.

By Representative Pulley:

H. B. 235, A BILL TO BE ENTITLED AN ACT REGARDING JURISDICTION TO OVERRIDE CERTAIN PRIVILEGES, is referred to the Committee on Judiciary No. 4.

By Representatives C. Woodard, DeVane, Hauser, Jeralds, Kennedy, Payne, and Womble:

H. B. 236, A BILL TO BE ENTITLED AN ACT REQUIRING DEFERRAL OF IMPRISONMENT OF PREGNANT DEFENDANTS CONVICTED OF NONVIOLENT CRIMES, is referred to the Committee on Corrections.

By Representatives Bob Etheridge, Brannan, Gillam, Hunt, James, Jeralds, Lutz, Warren, Watkins, Wicker, Womble, and B. Woodard:

H. B. 237, A BILL TO BE ENTITLED AN ACT TO ALLOW A RESCUE SQUAD WORKER ELIGIBLE FOR MEMBERSHIP IN THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKER'S PENSION FUND TO PURCHASE AS MANY AS TWO HUNDRED AND FORTY MONTHS OF PRIOR SERVICE, ON OR BEFORE DECEMBER 31, 1983, is referred to the Committee on Pensions and Retirement.

By Representatives Edwards, Barker, Beard, Berry, Creecy, Bruce Ethridge, Fussell, Gist, Hauser, Jeralds, Kennedy, Lilley, Miller, Payne, Rabon, Tyson, Watkins, and Womble:

H.B. 238, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CORRECTION FOR PRISON CHAPLAINS, is referred to the Commitee on Corrections.

By Representative Wicker:

H. B. 239, A BILL TO BE ENTITLED AN ACT TO EXTEND THE EXPIRATION FOR THE PAYMENT OF JUST COMPENSATION BY LOCAL AUTHORITIES REQUIRING THE REMOVAL OF BILLBOARDS WHICH ARE PERMITTED UNDER THE PROVISIONS OF ARTICLE 11 OF CHAPTER 136 OF THE GENERAL STATUTES, is referred to the Committee on Transportation.

By Representatives Helms, Adams, Anderson, Auman, Ballance, Barbee, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Brannan, Brennan, Bumgardner, Childress, Clark, Colton, Cook, N. J. Crawford, Creecy, Diamont, Easterling, Economos, Edwards, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Fulcher, Fussell, Greenwood, Grimsley, Hackney, Hauser, Hayden, Holt, Huskins, James, Jeralds, Keesee, Kennedy, Locks, Lutz, McDowell, Miller, Musselwhite, Nesbitt, Payne, Quinn, Roberts, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Varner, Wicker, Womble, and C. Woodard:

H. J. R. 240, A JOINT RESOLUTION URGING THE UNITED STATES GOVERNMENT TO SEEK A BILATERAL, VERIFIABLE FREEZE AND REDUCTION IN NUCLEAR WEAPONS, is referred to the Committee on Rules and Operation of the House.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S. B. 27, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE OFFICE OF CORONER IN MOORE COUNTY SUBJECT TO A REFERENDUM, is read the first time and is referred to the Committee on Local Government No. 2.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. B. 9, AN ACT TO AMEND CHAPTER 110 OF THE GENERAL STATUTES TO ENSURE ACCESS TO THE FEDERAL PARENT LOCATOR SERVICES IN PARENTAL KIDNAPPING AND CHILD CUSTODY CASES.

H. B. 29, AN ACT TO PROVIDE THAT VACANCIES ON THE MOORE COUNTY BOARD OF EDUCATION BE FILLED BY THAT BOARD, RATHER THAN BY THE COUNTY COMMISSIONERS.

H. B. 35, AN ACT TO REPEAL CERTAIN OBSOLETE CRIMINAL STATUTES REGARDING VAGRANCY AND TRAMPS.

H. B. 65, AN ACT TO AMEND THE NAME OF THE CLINICAL TOXICOLOGICAL LABORATORY LOCATED IN WINSTON-SALEM, NORTH CAROLINA.

H. B. 81, AN ACT TO AUTHORIZE THE TOWN OF VALDESE TO EXERCISE CERTAIN LAND ACQUISITION AND DISPOSAL PROCEDURES.

H. B. 84, AN ACT TO ALLOW CRIMINAL SESSIONS OF BRUNSWICK COUNTY SUPERIOR COURT IN FACILITIES OTHER THAN THE COURTHOUSE AT THE BRUNSWICK COUNTY GOVERNMENT CENTER WHEN THE COURTROOM IS INADEQUATE FOR JOINT TRIAL OR HEARING OF MULTIPLE DEFENDANTS.

H. B. 103, AN ACT TO PROVIDE THAT PERMITS FOR PYROTECHNIC DISPLAYS WITHIN INCORPORATED MUNCIPALITIES IN FORSYTH COUNTY SHALL BE GRANTED BY THE CITY COUNCIL INSTEAD OF THE COUNTY COMMISSIONERS, AND TO PROVIDE THAT THE COUNTY COMMISSIONERS MAY DELEGATE THEIR PERMIT GRANTING POWERS RELATING TO PYROTECHNIC DISPLAYS AND SALES OF EXPLOSIVES.

CALENDAR

Action is taken on the following:

H. B. 95, A BILL TO BE ENTITLED AN ACT REGARDING AMBULANCE SERVICE IN CHEROKEE, CLAY, DAVIE, HOKE, MACON, WILKES, AND YADKIN COUNTIES.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 111, A BILL TO BE ENTITLED AN ACT TO AMEND G.S. 20-88 RELATING TO PROPERTY-HAULING VEHICLES.

On motion of Representative B. Woodard, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading with 109 members voting in the affirmative and no members voting in the negative, and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 119, A BILL TO BE ENTITLED AN ACT TO AMEND G.S. 20-16.1 RELATING TO MANDATORY SUSPENSION OF DRIVER'S LICENSE.

On motion of Representative Hunt, the rules are suspended and the vote on the bill is by voice vote.

On motion of Representative Wicker, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

On motion of Representative Hunt, seconded by Representative Wicker, the House adjourns to reconvene February 18, 1983 at 11:00 a.m.

TWENTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Friday, February 18, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Grimsley.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of February 17 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Allran, Evans, Fletcher, Foster, Gentry, Lambeth, Locks, Seymour, and Watkins for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Hunt for the Committee on Rules and Operation of the House:

H. B. 25, A BILL TO BE ENTITLED AN ACT TO EXPAND THE MEMBERSHIP OF THE ADVISORY BUDGET COMMISSION, with a favorable report, as amended.

H. J. R. 49, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY ESTABLISHMENT OF A STATE LOTTERY, with an unfavorable report as to resolution, favorable as to committee substitute resolution with recommendation that the resolution be re-referred to the Committee on Appropriations.

The substitute resolution is re-referred to the Committee on Appropriations. The original resolution is placed on the Unfavorable Calendar.

H. J. R. 105, A JOINT RESOLUTION HONORING WADE BARBER, A FORMER MEMBER OF THE GENERAL ASSEMBLY, with a favorable report.

By Representative Brennan for the Committee on Human Resources:

H. B. 101, A BILL TO BE ENTITLED AN ACT TO RAISE AGE LIMITS FOR DAY-CARE STAFF, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for February 22, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 143, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF DAY-CARE PLAN, with a favorable report.

S. B. 33, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF HUMAN RESOURCES TO COMPROMISE ACCOUNTS, FIX PAYMENTS AND DETERMINE WHO IS ABLE TO PAY FOR SERVICES RENDERED TO THE PUBLIC, with a favorable report.

By Representative Adams for the Committee on Appropriations:

S. B. 45, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO G.S. 122-35.53, ALLOCATION OF FUNDS TO AREA PROGRAMS, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Diamont, Adams, Ballance, Barnes, Beall, Beam, Berry, Black, Blue, Brannan, Brennan, Childress, Church, Colton, Cook, N. J. Crawford, Creecy, Easterling, Economos, Edwards, Bruce Ethridge, Evans, Fenner, Foster, Fulcher, Fussell, Gillam, Gist, Greenwood, Grimsley, Hackney, Hauser, Hayden, Holt, James, Jarrell, Jeralds, Jones, Kennedy, Lambeth, Locks, McDowell, Mavretic, Nesbitt, Owens, Payne, Pulley, Quinn, Rabon, Roberts, Seymour, Slaughter, Spaulding, Stamey, Tennille, Thomas, Varner, and Womble:

H. J. R. 241, A JOINT RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO OPPOSE THE PASSAGE OF A FEDERAL TUITION TAX CREDIT BILL, is referred to the Committee on Rules and Operation of the House.

By Representatives Coble, Brubaker, Burnley, C. Hughes, and Keesee:

H. B. 242, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE OPERATION OF A MOTOR VEHICLE WITH WINDSHIELD OR WINDOWS THAT OBSCURE THE VIEW INWARD, is referred to the Committee on Highway Safety.

By Representative Lee:

H. B. 243, A BILL TO BE ENTITLED AN ACT TO CHANGE THE SIZE, TERMS, AND MANNER OF ELECTION OF THE RICHMOND COUNTY BOARD OF EDUCATION, SUBJECT TO A REFERENDUM, is referred to the Commitee on Local Government No. 2.

By Representative Lee:

H. B. 244, A BILL TO BE ENTITLED AN ACT TO REDUCE THE SIZE OF THE RICHMOND COUNTY BOARD OF COMMISSIONERS FROM SIX TO FIVE AND PROVIDE THAT THE COMMISSION SHALL ELECT ITS OWN CHAIRMAN, is referred to the Committee on Local Government No. 2.

By Representatives Roberts, Beam, Bumgardner, and Mauney:

H. B. 245, A BILL TO BE ENTITLED AN ACT TO CHANGE THE STYLE OF THE GOVERNING BOARD OF THE CITY OF LINCOLNTON FROM THE BOARD OF ALDERMEN TO THE CITY COUNCIL, is referred to the Committee on Local Government N. 2.

By Representatives Fenner, Barnes, Black, Brown, Burnley, Diamont, Fussell, Keesee, and Tennille:

H. J. R. 246, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE FEASIBILITY OF TRANSFERRING THE STATE SCHOOLS FOR THE DEAF AND THE GOVERNOR MOREHEAD SCHOOL FOR THE BLIND TO THE DEPARTMENT OF PUBLIC INSTRUCTION, is referred to the Committee on Commissions and Schools for the Blind and Deaf.

By Representative Auman:

H. B. 247, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN TOWNSHIPS TO VOTE ON ALCOHOLIC BEVERAGES SALES, is referred to the Committee on Alcoholic Beverage Control.

By Representatives Musselwhite, Adams, Blue, Brannan, Cook, Fussell, and Stamey:

H. B. 248, A BILL TO BE ENTITLED AN ACT TO AMEND THE REGULATORY AUTHORITY OF THE REAL ESTATE LICENSING BOARD AND TO CHANGE THE NAME OF THE BOARD TO THE REAL ESTATE COMMISSION, is referred to the Committee on State Government.

By Representatives Nesbitt, Colton, Crawford, Greenwood, and C. Hughes:

H. B. 249, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GOVERNING BODY OF A TAXING UNIT MAY DELAY THE ACCRUAL OF INTEREST ON CERTAIN UNPAID PROPERTY TAXES, is referred to the Committee on Finance.

By Representatives Miller and Clark:

H. J. R. 250, A JOINT RESOLUTION CONCERNING THE LEGISLATIVE OFFICE BUILDING, is referred to the Committee on Rules and Operation of the House.

By Representatives Mavretic and Holt:

H. B. 251, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET PROVISION IN THE 1981 ACT CHANGING THE RATE OF INTEREST IN THE CONSUMER FINANCE ACT, is referred to the Committee on Banks and Thrift Institutions.

By Representative Seymour:

H. B. 252, A BILL TO BE ENTITLED AN ACT CONCERNING AXLE WEIGHT LIMITS FOR MOTOR VEHICLES HAULING LIVESTOCK & POULTRY BY-PRODUCTS FROM POINT OF ORIGIN, is referred to the Committee on Transportation.

By Representatives Hunter, Adams, Auman, Ballance, Barnes, Blue, Brannan, Brubaker, Burnley, Childress, Colton, N. J. Crawford, Enloe, Bob Etheridge, Greenwood, Holt, Keesee, Kennedy, McAlister, McDowell, Nesbitt, Payne, Poovey, Roberts, Tennille, Wicker, and Womble:

H. B. 253, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHEN THE FILING DEADLINE FOR CANDIDACY TO TWO OR MORE PUBLIC OFFICES IS THE SAME, A PERSON MAY NOT FILE AS A CANDIDATE FOR MORE THAN ONE OFFICE, is referred to the Committee on Election Laws.

By Representatives Fulcher, Bruce Ethridge, and Tyndall:

H. B. 254, A BILL TO BE ENTITLED AN ACT TO CHANGE THE EFFECTIVE DATE OF AN ANNEXATION OF THE TOWN OF MOREHEAD CITY, is referred to the Committee on Local Government No. 2.

CALENDAR

Action is taken on the following:

H. B. 190, A BILL TO BE ENTITLED AN ACT TO ALLOW VARIOUS TOWNS TO INCREASE THE TAX LEVY ON MOTOR VEHICLES TO A MAXIMUM OF FIVE DOLLARS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Anderson, Auman, Barbee, Barker, Barnes, Beall, Beam. Beard, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Fussell, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lancaster, Lee, Lilley, Lutz, McAlister, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Robinson, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, and C. Woodard — 97.

Voting in the negative: None.

Excused absences: Representatives Allran, Evans, Fletcher, Foster, Gentry, Lambeth, Locks, Seymour, and Watkins — 9.

H. B. 136, A BILL TO BE ENTITLED AN ACT TO CLARIFY FEES CHARGED BY THE PRIVATE PROTECTIVE SERVICES BOARD, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam. Beard, Berry, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Fussell, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lancaster, Lee, Ligon, Lilley, Lutz, McAlister, Matthews, Mauney, Miller, Murphy, Musselwhite, Nash, Nesbitt, Payne, Pool, Poovey, Pulley, Quinn, Redding, Roberts, Robinson, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, and C. Woodard — 99.

Voting in the negative: None.

Excused absences: Representatives Allran, Evans, Fletcher, Foster, Gentry, Lambeth, Locks, Seymour, and Watkins — 9.

Committee Substitute for H. B. 116, A BILL TO BE ENTITLED AN ACT TO ALLOW THE HEAD OF A LOCAL LAW ENFORCEMENT AGENCY TO APPOINT TRAFFIC CONTROL OFFICERS, passes its second reading, by electronic vote (102-0).

Representative Chapin objects to the third reading. The bill remains on the Calendar.

Committee Substitute for H. B. 120, A BILL TO BE ENTITLED AN ACT TO AMEND G.S. 44A-4 RELATING TO SALE OF MOTOR VEHICLES TO SATISFY LIENS, passes its second reading, by electronic vote (97-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S. B. 48, A BILL TO BE ENTITLED AN ACT TO ALLOW "P. C." IN A CORPORATE NAME, passes its second reading, by electronic vote (96-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

H. B. 52, A BILL TO BE ENTITLED AN ACT TO ALLOW AN INCOME TAX DEDUCTION FOR CONTRIBUTIONS TO RADIO EMERGENCY ASSOCIATION OF CITIZENS TEAMS, passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 165, A BILL TO BE ENTITLED AN ACT TO DEFINE THE TERM OF THE LEGISLATIVE RESEARCH COMMISSION AND TO ALLOW THE LEGISLATIVE RESEARCH COMMISSION TO CONTINUE TO ACT CONCERNING THE STATE'S INTEREST IN RAILROAD PROPERTIES, passes its second reading, by electronic vote (99-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 168, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO USE STATE AND FEDERAL FUNDS TO CONSTRUCT, MAINTAIN, LEASE OR OTHERWISE PROVIDE FOR COMMUTER AND RIDESHARING PARKING, passes its second reading by electronic vote (90-7).

Representative C. Hughes objects to the third reading.

On motion of Representative Bumgardner, the rules are suspended, by electronic vote (81-15), in order for the bill to have its third reading.

The bill passes its third reading and is ordered sent to the Senate.

On motion of Representative Hunt, seconded by Representative Clark, the House adjourns to reconvene Monday, February 21, 1983 at 8:00 p.m.

TWENTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Monday, February 21, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Berry.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of February 18 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Foster, Gentry, Lambeth, Miller, Musselwhite, and Seymour for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Wright for the Committee on Judiciary No. 2:

H. B. 154, A BILL TO BE ENTITLED AN ACT TO PROHIBIT ASSAULTS AND THREATS AGAINST JUDICIAL OFFICIALS, with a favorable report, as amended.

Committee Substitute for S. B. 12, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT PARENTAL CONSENTS TO ADOPTIONS BE DULY SWORN, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Church:

H. B. 255, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 74C, THE PRIVATE PROTECTIVE SERVICES ACT, is referred to the Committee on State Government.

By Representative Church:

H. B. 256, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 89D, CONCERNING LANDSCAPE CONTRACTORS, is referred to the Committee on State Government.

By Representative Church:

H. B. 257, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THREE-YEAR TERMS FOR MEMBERS OF THE STATE BOARD OF REGISTRATION FOR FORESTERS AND TO SET A LIMIT OF TWO CONSECUTIVE TERMS, is referred to the Committee on State Government.

By Representative Church:

H. B. 258, A BILL TO BE ENTITLED AN ACT TO AMEND THE PRACTICING PSYCHOLOGISTS LICENSING ARTICLE, is referred to the Committee on State Government.

By Representatives Thomas and Brennan:

H. B. 259, A BILL TO BE ENTITLED AN ACT TO SPECIFY THAT REVENUE FROM THE PRIVILEGE LICENSE TAX ON DAY-CARE FACILITIES BE USED FOR A STATEWIDE INFORMATION SYSTEM ON DAY CARE, is referred to the Committee on Human Resources.

By Representatives Thomas and Brennan:

H. B. 260, A BILL TO BE ENTITLED AN ACT TO EXCLUDE FROM GROSS INCOME AMOUNTS PAID BY AN EMPLOYER FOR DEPENDENT CARE ASSISTANCE PROVIDED FOR THE BENEFIT OF THE EMPLOYEE, is referred to the Committee on Human Resources.

By Representative Lancaster:

H. B. 261, A BILL TO BE ENTITLED AN ACT TO DESIGNATE DISTRICT BARS AS SUBDIVISIONS OF THE NORTH CAROLINA STATE BAR AND TO AMEND THE STATUTES RELATING TO THE DISCIPLINING OF ATTORNEYS, is referred to the Committee on Judiciary No. 3.

By Representative McAlister:

H. B. 262, A BILL TO BE ENTITLED AN ACT EXTENDING USE-VALUE APPRAISAL ELIGIBILITY TO PUBLICLY HELD CORPORATIONS AND PROVIDING FOR APPRAISAL OF ELIGIBLE FOREST LANDS ACCORDING TO THE SITE INDEX FOR TIMBER PRODUCTION, is referred to the Committee on Finance.

By Representatives Hauser, Ballance, Berry, Blue, Edwards, Gist, Jeralds, Locks, Nesbitt, and Spaulding:

H. B. 263, A BILL TO BE ENTITLED AN ACT TO REQUIRE A JUDICIAL OFFICIAL TO STATE THE REASON(S) FOR REQUIRING A SECURED BAIL BOND AS A CONDITION OF PRETRIAL RELEASE, is referred to the Committee on Judiciary No. 2.

By Representatives Tennille, Auman, Childress, Hauser, Helms, Holt, C. Hughes, Hunter, Matthews, Robinson, Slaughter, and Thomas:

H. B. 264, A BILL TO BE ENTITLED AN ACT TO REQUIRE FORFEITURE OF CONVEYANCES USED IN THE COMMISSION OF A ROBBERY, is referred to the Committee on Judiciary No. 4.

By Representatives Cook and Brannan (co-sponsors); Representatives Adams, Barnes, Blue, N. J. Crawford, Creecy, Bruce Ethridge, Fussell, Hauser, C. Hughes, Musselwhite, Spaulding, and Stamey:

H. B. 265, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA HOUSING COMMISSION, is referred to the Committee on Housing.

By Representatives Cook and Brannan (co-sponsors); Representatives Adams, Barnes, Blue, N. J. Crawford, Creecy, Bruce Ethridge, Fussell, C. Hughes, Musselwhite, Spaulding, and Stamey:

H. B. 266, A BILL TO BE ENTITLED AN ACT TO PROVIDE A STATEWIDE MINIMUM HOUSING CODE, is referred to the Committee on Housing.

By Representatives Cook and Brannan (co-sponsors); Representatives Adams, Barnes, Blue, N. J. Crawford, Creecy, Bruce Ethridge, Fussell, Lancaster, Musselwhite, and Stamey:

H. B. 267, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF NATURAL RESOURCES AND COMMUNITY DEVELOPMENT TO CREATE A TECHNICAL ASSISTANCE FORCE, is referred to the Committee on Housing.

By Representatives Cook and Brannan (co-sponsors); Representatives Adams, Barnes, Blue, N. J. Crawford, Creecy, Bruce Ethridge, Fussell, C. Hughes, Lancaster, Musselwhite, and Stamey:

H. B. 268, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A RENTAL HOUSING CONSTRUCTION FUND TO ASSIST IN THE DEVELOPMENT OF MULTI-FAMILY HOUSING, is referred to the Committee on Housing.

By Representatives Cook and Brannan (co-sponsors); Representatives Adams, Barnes, Blue, N. J. Crawford, Creecy, Bruce Ethridge, Fussell, C. Hughes, Lancaster, Musselwhite, and Stamey:

H. B. 269, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A HOMEOWNERSHIP ASSISTANCE FUND ADMINISTERED BY THE HOUSING FINANCE AGENCY AS A PILOT PROGRAM, is referred to the Committee on Housing.

By Representatives Cook and Brannan (co-sponsors); Representatives Adams, Barnes, Blue, N. J. Crawford, Creecy, Bruce Ethridge, Fussell, Lancaster, Musselwhite, Spaulding, and Stamey:

H. B. 270, A BILL TO BE ENTITLED AN ACT TO MAKE THE MINIMUM HOUSING STANDARDS APPLY TO MOBILE HOMES, is referred to the Committee on Housing.

By Representatives Cook and Brannan (co-sponsors); Representatives Adams, Barnes, Blue, N. J. Crawford, Creecy, Bruce Ethridge, Fussell, Lancaster, Musselwhite, and Stamey:

H. B. 271, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCALITIES TO LEVY AD VALOREM TAXES FOR HOUSING PROGRAMS, is referred to the Committee on Housing.

By Representatives Cook and Brannan (co-sponsors); Representatives Adams, Barnes, Blue, N. J. Crawford, Creecy, Bruce Ethridge, Fussell, Hauser, C. Hughes, Lancaster, Musselwhite, Spaulding, and Stamey:

H. B. 272, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A PILOT PROGRAM TO ASSIST ELDERLY, LOW-INCOME HOMEOWNERS IN MAKING HOME REPAIRS, is referred to the Committee on Housing.

By Representatives Cook and Brannan (co-sponsors); Representatives Adams, Barnes, Blue, N. J. Crawford, Creecy, Bruce Ethridge, Fussell, Hauser, C. Hughes, Lancaster, Musselwhite, Spaulding, and Stamey:

H. B. 273, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE APPLICABILITY OF THE ENFORCEMENT POWERS OF MINIMUM HOUSING STANDARDS BY COUNTIES, is referred to the Committee on Housing.

By Representatives Cook and Brannan (co-sponsors); Representatives Adams, Barnes, Blue, N. J. Crawford, Creecy, Bruce Ethridge, Fussell, C. Hughes, Musselwhite, and Stamey:

H. B. 274, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA HOUSING FINANCE AGENCY TO MAKE LOANS TO MORTGAGE LENDERS, is referred to the Committee on Housing.

By Representatives Cook and Brannan (co-sponsors); Representatives Adams, Barnes, Blue, N. J. Crawford, Creecy, Bruce Ethridge, Fussell, C. Hughes, Musselwhite, and Stamey:

H. B. 275, A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENT FOR A CERTIFICATE OF CONVENIENCE AND NECESSITY FROM THE UTILITIES COMMISSION BEFORE A HOUSING AUTHORITY CAN EXERCISE THE POWER OF EMINENT DOMAIN, is referred to the Committee on Housing.

By Representatives Cook and Brannan (co-sponsors); Representatives Adams, Barnes, Blue, N. J. Crawford, Creecy, Bruce Ethridge, Fussell, Musselwhite, and Stamey:

H. B. 276, A BILL TO BE ENTITLED AN ACT TO REQUIRE LESSORS OF MOBILE HOME LOTS TO OFFER SIX-MONTH LEASES AND TO PROVIDE THAT THE LESSOR MAY NOT TERMINATE A SIX-MONTH MOBILE HOME LOT LEASE EXCEPT BY PROPER WRITTEN NOTICE, is referred to the Committee on Housing.

By Representatives Cook and Brannan (co-sponsors); Representatives Adams, Barnes, Blue, N. J. Crawford, Creecy, Bruce Ethridge, Fussell, Lancaster, Musselwhite, and Stamey:

H. B. 277, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCALITIES TO SPEND SALES TAX REVENUE ON HOUSING, is referred to the Committee on Housing.

By Representatives Cook and Brannan (co-sponsors); Representatives Adams, Barnes, Blue, N. J. Crawford, Creecy, Bruce Ethridge, Fussell, Musselwhite, and Stamey:

H. B. 278, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PARTIAL INCOME TAX EXCLUSION FOR INTEREST EARNED ON DEPOSITS IN NORTH CAROLINA INSTITUTIONS, is referred to the Committee on Housing.

By Representatives Cook and Brannan (co-sponsors); Representatives Adams, Barnes, Blue, N. J. Crawford, Creecy, Bruce Ethridge, Fussell, Hauser, Musselwhite, and Spaulding:

H. J. R. 279, A JOINT RESOLUTION MEMORIALIZING CONGRESS IN OPPOSITION TO FEDERAL TERMINATION OF LOW-INCOME HOUSING PROGRAMS, is referred to the Committee on Housing.

By Representatives Cook and Brannan (co-sponsors); Representatives Adams, Barnes, Blue, N. J. Crawford, Creecy, Bruce Ethridge, Fussell, C. Hughes, Musselwhite, Spaulding, and Stamey:

H. J. R. 280, A JOINT RESOLUTION MEMORIALIZING CONGRESS TO PASS LEGISLATION AUTHORIZING TAX DEDUCTIONS FOR MONEY SAVED FOR PURCHASE OF A HOME, is referred to the Committee on Housing.

By Representatives Holt, Jordan, McAlister, and McDowell:

H. B. 281, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE ELECTION LAWS RELATIVE TO ACCESS TO THE VOTING ENCLOSURE, MAILING OF NOTICES OF CANCELLATION, USE OF TAX SUPPORTED BUILDINGS FOR VOTING, AND COUNTING OF PRIMARY BALLOTS, is referred to the Committee on Election Laws.

By Representative Holt:

H. B. 282, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR INCREASED PENALTIES FOR THE DRIVER OF ANY MOTOR VEHICLE FAILING TO YIELD TO A PEDESTRIAN IN A SCHOOL CROSSWALK, is referred to the Committee on Highway Safety.

By Representatives Slaughter, Hudson, Quinn, and Thomas:

H. B. 283, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF ALBEMARLE TO CONVEY AT PRIVATE SALE A TRACT OF LAND TO COLLINS AND AIKMAN CORPORATION ON A BASIS OTHER THAN THE HIGHEST

MONETARY BID, BECAUSE SUCH DISPOSITION IS FOUND TO SERVE THE BEST INTEREST OF THE MUNICIPALITY, is referred to the Committee on Local Government No. 2.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S. J. R. 15, A JOINT RESOLUTION REQUESTING THAT THE GOVERNOR OF NORTH CAROLINA CONSIDER THE APPOINTMENT OF MORE ELDERLY CITIZENS TO STATE BOARDS AND COMMISSIONS, is read the first time and is referred to the Committee on Aging.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. B. 48, AN ACT TO ALLOW "P. C." IN A CORPORATE NAME.

CALENDAR

Action is taken on the following:

H. B. 190, A BILL TO BE ENTITLED AN ACT TO ALLOW VARIOUS TOWNS TO INCREASE THE TAX LEVY ON MOTOR VEHICLES TO A MAXIMUM OF FIVE DOLLARS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Evans, Fenner, Fulcher, Fussell, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Murphy, Nash, Owens, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Robinson, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Warren, Watkins, Womble, B. Woodard, C. Woodard, and Wright — 105.

Voting in the negative: None.

Excused absences: Representatives Foster, Gentry, Miller, Musselwhite, and Seymour — 5.

H. B. 136, A BILL TO BE ENTITLED AN ACT TO CLARIFY FEES CHARGED BY THE PRIVATE PROTECTIVE SERVICES BOARD, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Evans, Fenner, Fletcher, Fulcher, Fussell, Gillam, Gist, Grimsley, Hackney, Hasty,

Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Murphy, Nash, Nesbitt, Owens, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Robinson, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Womble, B. Woodard, C. Woodard, and Wright — 107.

Voting in the negative: None.

Excused absences: Representatives Foster, Gentry, Miller, Musselwhite, and Seymour — 5.

Committee Substitute for H. B. 116, A BILL TO BE ENTITLED AN ACT TO ALLOW THE HEAD OF A LOCAL LAW ENFORCEMENT AGENCY TO APPOINT TRAFFIC CONTROL OFFICERS.

On motion of Representative Hunter, consideration of the bill is postponed until February 23, 1983.

S. B. 35, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE NUMBER, ELECTION, TERM AND CLASSIFICATION OF STATE BANK DIRECTORS, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

H. B. 25, A BILL TO BE ENTITLED AN ACT TO EXPAND THE MEMBERSHIP OF THE ADVISORY BUDGET COMMISSION.

On motion of Representative Barbee, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. J. R. 105, A JOINT RESOLUTION HONORING WADE BARBER, A FORMER MEMBER OF THE GENERAL ASSEMBLY, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate.

H. B. 143, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF DAY-CARE PLAN, passes its second reading by electronic vote (92-14).

Representative Jordan objects to the third reading. The bill remains on the Calendar.

S. B. 33, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF HUMAN RESOURCES TO COMPROMISE ACCOUNTS, FIX PAYMENTS AND DETERMINE WHO IS ABLE TO PAY FOR SERVICES RENDERED TO THE PUBLIC, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 45, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO G.S. 122-35.53, ALLOCATION OF FUNDS TO AREA PROGRAMS, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

On motion of Representative Hunt, seconded by Representative Quinn, the House adjourns to reconvene February 22, 1983 at 1:30 p.m.

THIRTIETH DAY

HOUSE OF REPRESENTATIVES
Tuesday, February 22, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Locks.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of February 21 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Foster, Gentry, Miller, and Seymour for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Quinn for the Committee on Finance:

Committee Substitute for H. B. 151, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES RELATING TO PUBLIC ACCOUNTANTS, with a favorable report.

H. B. 187, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE EXEMPTION OF OUT-OF-STATE SALES OF PRINTED MATERIALS FROM TAXATION, with a favorable report.

H. B. 217, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF WINDSOR TO COLLECT ON MOTOR VEHICLES A TAX OF NOT MORE THAN TWO DOLLARS, with a favorable report.

By Representative Church for the Committee on State Government:

H. B. 160, A BILL TO BE ENTITLED AN ACT TO EXTEND THE EFFECTIVE DATE OF PROBATIONARY OR TEMPORARY CERTIFICATES ISSUED TO NORTH CAROLINA CODE OFFICIALS, with a favorable report.

H. B. 195, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEPARTMENT OF CORRECTION'S RULE-MAKING PROCEDURES, with a favorable report, as amended.

H. B. 212, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEVEN-MEMBER BOARD OF MORTUARY SCIENCE, TO SET THREE-YEAR TERMS, AND TO LIMIT SERVICE TO TWO CONSECUTIVE TERMS, with a favorable report.

H. B. 213, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 7 OF CHAPTER 90 OF THE GENERAL STATUTES RELATING TO THE BOARD OF

OSTEOPATHIC EXAMINATION AND REGISTRATION AND TO PERMIT HIGHER REGISTRATION FEES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

By Representative Wright for the Committee on Judiciary No. 2:

S. B. 62, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A TECHNICIAN WITH A GENERAL LICENSE CAN TEST SPEED-MEASURING INSTRUMENTS, with a favorable report.

Committee Substitute for S. B. 72, A BILL TO BE ENTITLED AN ACT TO MAKE DOGS AND OTHER ANIMALS IN A PERSON'S POSSESSION THE SUBJECT OF LARCENY, with a favorable report.

By Representative Pulley for the Committee on Judiciary No. 4:

S. B. 32, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 110 OF THE GENERAL STATUTES TO PROVIDE FOR THE USE OF UNEMPLOYMENT COMPENSATION BENEFITS FOR CHILD SUPPORT, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Lancaster, Chapin, Hauser, Holt, Thomas, B. Woodard, and C. Woodard:

H. B. 284, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE MEDICAL RADIATION TECHNOLOGY PRACTICE ACT, is referred to the Committee on State Government.

By Representatives Lancaster and C. Woodard:

H. B. 285, A BILL TO BE ENTITLED AN ACT PROVIDING THAT PERSONALIZED PLATES FOR COMMERCIAL VEHICLES SHALL NOT HAVE THE WORD "COMMERCIAL" ON THEM AND REGULATING THE REPLACEMENT OF REGISTRATION PLATES, is referred to the Committee on Highway Safety.

By Representatives Lancaster, Chapin, and C. Woodard:

H. B. 286, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR TRANSFER FROM MAGISTRATE'S SMALL CLAIMS COURT TO CIVIL ISSUE DISTRICT COURT, is referred to the Committee on Courts and Administration of Justice.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S. J. R. 64, A JOINT RESOLUTION ENCOURAGING HEALTH INSURANCE CARRIERS TO OFFER AND PROMOTE COVERAGE FOR MENTAL HEALTH AND RELATED SERVICES, is read the first time and is referred to the Committee on Mental Health.

S. B. 73, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF CAJAH MOUNTAIN IN CALDWELL COUNTY, is read the first time and is referred to the Committee on Local Government No. 2.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. B. 33, AN ACT TO AUTHORIZE THE DEPARTMENT OF HUMAN RESOURCES TO COMPROMISE ACCOUNTS, FIX PAYMENTS AND DETERMINE WHO IS ABLE TO PAY FOR SERVICES RENDERED TO THE PUBLIC.

S. B. 35, AN ACT PERTAINING TO THE NUMBER, ELECTION, TERM AND CLASSIFICATION OF STATE BANK DIRECTORS.

S. B. 45, AN ACT TO MAKE TECHNICAL AMENDMENTS TO G.S. 122-35.53, ALLOCATION OF FUNDS TO AREA PROGRAMS.

CALENDAR

Action is taken on the following:

Committee Substitute for H. B. 101, A BILL TO BE ENTITLED AN ACT TO RAISE AGE LIMITS FOR DAY-CARE STAFF, passes its second reading by electronic vote (100-5).

Representative Bob Etheridge objects to the third reading. The bill remains on the Calendar.

H. B. 143, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF DAY-CARE PLAN.

Representative Wicker moves that the bill be re-referred to the Committee on Human Resources.

Representative Pulley makes a substitute motion that the bill be re-referred to the Committee on Judiciary No. 4. The Speaker rules that this motion is out of order.

Representative Wicker withdraws his motion to re-refer the bill to the Committee on Human Resources.

Representative Fenner moves that consideration of the bill be postponed until March 1, 1983.

A division having been called, the motion fails by electronic vote (42-71).

On motion of Representative Pulley the bill is re-referred to the Committee on Judiciary No. 4 by electronic vote (102-11).

H. B. 154, A BILL TO BE ENTITLED AN ACT TO PROHIBIT ASSAULTS AND THREATS AGAINST JUDICIAL OFFICIALS.

On motion of Representative Spaulding, Committee Amendment No. 1 is adopted.

Representative Spaulding offers Amendment No. 2 which is adopted.

Representative Slaughter moves that the bill be re-referred to the Committee on Judiciary No. 2 and this motion fails by electronic vote (27-82).

Representative Blue offers Amendment No. 3 which is adopted by electronic vote (57-49).

The bill, as amended, passes its second reading, by electronic vote (99-8), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Committee Substitute for S. B. 12, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT PARENTAL CONSENTS TO ADOPTIONS BE DULY SWORN, passes its second reading, by electronic vote (102-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

On motion of Representative Hunt, seconded by Representative Matthews, the House adjourns to reconvene February 23, 1983 at 1:30 p.m.

THIRTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Wednesday, February 23, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Dr. Hal Warlick, Emerywood Baptist Church, High Point, North Carolina.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of February 22 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Adams, Foster, Miller, Seymour, and Ligon for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Fussell for the Committee on Highway Safety:

H. B. 121, A BILL TO BE ENTITLED AN ACT TO AMEND G.S. 20-16.2 RELATING TO MANDATORY REVOCATION OF LICENSE, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for February 25, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 123, A BILL TO BE ENTITLED AN ACT TO AMEND G.S. 20-309(e) RELATIVE TO A LAPSE IN INSURANCE COVERAGE ON MOTOR VEHICLES, with an unfavorable report as to bill, favorable as to committee substitute bill, and recommendation that the substitute bill be re-referred to the Committee on Finance.

The substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H. B. 129, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DIVISION OF MOTOR VEHICLES MAY NOT ISSUE A DRIVER'S LICENSE TO A PERSON WHOSE LICENSE WAS CANCELLED IN ANOTHER JURISDICTION, with a favorable report.

H. B. 196, A BILL TO BE ENTITLED AN ACT TO AMEND G.S. 20-57(e) PERTAINING TO THE DIVISION ISSUING CERTIFICATE OF TITLES AND REGISTRATION CARDS, with a favorable report.

By Representative McDowell for the Committee on Corrections:

H. B. 236, A BILL TO BE ENTITLED AN ACT REQUIRING DEFERRAL OF IMPRISONMENT OF PREGNANT DEFENDANTS CONVICTED OF NONVIOLENT CRIMES, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary No. 3.

H. B. 238, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CORRECTION FOR PRISON CHAPLAINS, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

By Representative Hightower for the Committee on Insurance:

H. B. 57, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW CONCERNING REPORTING OF PRODUCT LIABILITY INSURANCE UNDERWRITING EXPERIENCE, with a favorable report.

By Representative Lutz for the Committee on Local Government No. 2:

H. B. 243, A BILL TO BE ENTITLED AN ACT TO CHANGE THE SIZE, TERMS, AND MANNER OF ELECTION OF THE RICHMOND COUNTY BOARD OF EDUCATION, SUBJECT TO A REFERENDUM, with a favorable report.

H. B. 244, A BILL TO BE ENTITLED AN ACT TO REDUCE THE SIZE OF THE RICHMOND COUNTY BOARD OF COMMISSIONERS FROM SIX TO FIVE AND PROVIDE THAT THE COMMISSION SHALL ELECT ITS OWN CHAIRMAN, with a favorable report, as amended.

H. B. 245, A BILL TO BE ENTITLED AN ACT TO CHANGE THE STYLE OF THE GOVERNING BOARD OF THE CITY OF LINCOLNTON FROM THE BOARD OF ALDERMEN TO THE CITY COUNCIL, with a favorable report, as amended, and placed on the Calendar for February 28, 1983.

H. B. 254, A BILL TO BE ENTITLED AN ACT TO CHANGE THE EFFECTIVE DATE OF AN ANNEXATION OF THE TOWN OF MOREHEAD CITY, with a favorable report.

S. B. 27, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE OFFICE OF CORONER IN MOORE COUNTY SUBJECT TO A REFERENDUM, with a favorable report.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. J. R. 105, A JOINT RESOLUTION HONORING WADE BARBER, A FORMER MEMBER OF THE GENERAL ASSEMBLY.

H. B. 5, AN ACT TO TRANSFER RESPONSIBILITY FOR COLLECTING INCOME AND FRANCHISE TAXES ON SAVINGS AND LOAN ASSOCIATIONS FROM THE SAVINGS AND LOAN DIVISION OF THE DEPARTMENT OF COMMERCE TO THE DEPARTMENT OF REVENUE.

H.B. 7, AN ACT REGARDING THE DISTRIBUTION OF INTANGIBLE TAX REVENUE COLLECTED DURING FISCAL YEAR 1982-83.

H. B. 17, AN ACT TO ENSURE THAT ORAGANIZATIONS THAT ARE EXEMPT FROM FEDERAL INCOME TAX ARE ALSO EXEMPT FROM STATE CORPORATE INCOME AND FRANCHISE TAX.

H. B. 19, AN ACT TO ALLOW LESSORS OF MOTOR VEHICLES TO ASSUME PRIMARY RESPONSIBILITY FOR PAYMENT OF THE SPECIAL FUELS AND HIGHWAY USE TAXES.

S. B. 12, AN ACT TO REQUIRE THAT PARENTAL CONSENTS TO ADOPTIONS BE DULY SWORN.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Fletcher:

H. B. 287, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS FOR MORGANTON REGIONAL COMMUNITY SERVICE CENTER FOR THE HEARING IMPAIRED, is referred to the Committee on Appropriations.

By Representatives Lutz, Auman, Barker, Barnes, Beam, Beard, Berry, Brennan, Cook, Creecy, Economos, Edwards, Fenner, Fulcher, Greenwood, Hauser, Keesee, Nash, Tyndall, Varner, and C. Woodard:

H. B. 288, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITIES AND COUNTIES TO PROVIDE ALTERNATIVES FOR THE TRANSPORTATION OF INVOLUNTARILY COMMITTED RESPONDENTS, is referred to the Committee on Mental Health.

By Representatives James, Murphy, and Slaughter:

H. B. 289, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CONTRACT AMOUNT OVER WHICH A CONTRACTOR MUST BE LICENSED TO EIGHTY THOUSAND DOLLARS, is referred to the Committee on State Government.

By Representatives James, Anderson, Black, Brown, Brubaker, Enloe, Gillam, Greenwood, Jordan, Lacey, Lambeth, Lilley, Lutz, McAlister, Mavretic, Murphy, Nash, Tyson, Warren, and B. Woodard:

H. B. 290, A BILL TO BE ENTITLED AN ACT TO INCREASE THE BORROWING AUTHORITY OF THE BOARD OF AGRICULTURE FOR FINANCING IMPROVEMENTS FOR THE STATE FAIR, is referred to the Committee on Agriculture.

By Representative Rhodes:

H. B. 291, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE NEW HANOVER COUNTY BOARD OF COMMISSIONERS SHALL BE ELECTED FROM DISTRICTS AND ONLY THE QUALIFIED VOTERS OF THE DISTRICT SHALL VOTE FOR THAT DISTRICT SEAT, is referred to the Committee on Local Government No. 2.

By Representative Rhodes:

H. B. 292, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE WILMINGTON CITY COUNCIL SHALL BE ELECTED FROM DISTRICTS AND ONLY

THE QUALIFIED VOTERS OF THE DISTRICT SHALL VOTE FOR THAT DISTRICT SEAT, is referred to the Committee on Local Government No. 2.

By Representatives Evans and James:

H. B. 293, A BILL TO BE ENTITLED AN ACT TO VALIDATE THE REGISTRATION OF CERTAIN INSTRUMENTS CONTAINING A NOTARIAL JURAT INSTEAD OF AN ACKNOWLEDGMENT, is referred to the Committee on Judiciary No. 3.

By Representatives Holt, Jordan, McAlister, and McDowell:

H. B. 294, A BILL TO BE ENTITLED AN ACT TO INCREASE JUROR'S PAY, is referred to the Committee on Courts and Administration of Justice.

By Representatives Barnes, Adams, Beam, Black, Blue, Brubaker, Burnley, Cook, DeVane, Fletcher, Hackney, Hauser, Hayden, Hunter, Lancaster, Murphy, Slaughter, Spaulding, Watkins, and C. Woodard:

H. B. 295, A BILL TO BE ENTITLED AN ACT TO PERMIT A REGISTERED VOTER WHO HAS MOVED FROM ONE PRECINCT TO ANOTHER WITHIN THE SAME COUNTY MORE THAN THIRTY DAYS BEFORE AN ELECTION TO RECORD A CHANGE OF ADDRESS ON ELECTION DAY AND VOTE IN THE NEW PRECINCT, is referred to the Committee on Election Laws.

By Representatives Tyndall, Bruce Ethridge, and Fulcher:

H. B. 296, A BILL TO BE ENTITLED AN ACT RELATING TO HUNTING FOXES IN ONSLOW COUNTY, is referred to the Committee on Wildlife Resources.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S. B. 50, A BILL TO BE ENTITLED AN ACT TO AMEND THE POWERS OF THE COMMISSIONER OF INSURANCE TO REGULATE HEALTH MAINTENANCE ORGANIZATIONS, is read the first time and is referred to the Committee on Insurance.

S. B. 54, A BILL TO BE ENTITLED AN ACT TO AMEND THE AUTHORITY TO SET FEES FOR THE BOARD OF MEDICAL EXAMINERS, is read the first time and is referred to the Committee on Finance.

CALENDAR

Action is taken on the following:

Committee Substitute for H. B. 151, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES RELATING TO PUBLIC ACCOUNTANTS.

Representative Musselwhite offers Amendment No. 1 which is adopted by electronic vote (108-2).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy,

DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Rabon, Redding, Rhodes, Roberts, Robinson, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 110.

Voting in the negative: None.

Excused absences: Representatives Adams, Foster, Ligon, Miller, and Seymour — 5.

H. B. 217, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF WINDSOR TO COLLECT ON MOTOR VEHICLES A TAX OF NOT MORE THAN TWO DOLLARS, passes its second reading, by the following vote, and remains on the calendar.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Fulcher, Fussell, Gentry, Gillam, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, C. Woodard, and Wright — 109.

Voting in the negative: None.

Excused absences: Representatives Adams, Foster, Ligon, Miller, and Seymour — 5.

Committee Substitute for H. B. 116, A BILL TO BE ENTITLED AN ACT TO ALLOW THE HEAD OF A LOCAL LAW ENFORCEMENT AGENCY TO APPOINT TRAFFIC CONTROL OFFICERS, passes its third reading, by electronic vote (107-1), and is ordered sent to the Senate.

Committee Substitute for H. B. 101, A BILL TO BE ENTITLED AN ACT TO RAISE AGE LIMITS FOR DAY-CARE STAFF.

On motion of Representative Keesee, consideration of the bill is postponed until February 25, 1983.

H. B. 187, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE EXEMPTION OF OUT-OF-STATE SALES OF PRINTED MATERIALS FROM TAXATION.

Representative Pulley requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

Representative Lilley offers Amendment No. 1 which is adopted.

Representative Mavretic offers Amendment No. 2 which fails by electronic vote (45-65).

Representative Huskins requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

Representative Quinn calls the previous question on the second reading of the bill and the call is sustained by electronic vote (100-8).

The bill, as amended, passes its second reading, by electronic vote (76-33), and there being no objection is read a third time.

Representative Nesbitt offers Amendment No. 3.

On motion of Representative Quinn, seconded by Representative Helms, Amendment No. 3 is tabled by electronic vote (62-44).

Representative Hightower moves that the bill be re-referred to the Committee on Finance.

On motion of Representative James, seconded by Representative Quinn, the motion is tabled by electronic vote (76-29).

Representative Lilley calls the previous question on the third reading and the call is sustained.

The bill, as amended, passes its third reading, by electronic vote (86-22), and is ordered engrossed and sent to the Senate.

H.B. 160, A BILL TO BE ENTITLED AN ACT TO EXTEND THE EFFECTIVE DATE OF PROBATIONARY OR TEMPORARY CERTIFICATES ISSUED TO NORTH CAROLINA CODE OFFICIALS, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 195, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEPARTMENT OF CORRECTION'S RULE-MAKING PROCEDURES.

On motion of Representative Nesbitt, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 212, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEVEN-MEMBER BOARD OF MORTUARY SCIENCE, TO SET THREE-YEAR TERMS, AND TO LIMIT SERVICE TO TWO CONSECUTIVE TERMS, passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S. B. 62, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A TECHNICIAN WITH A GENERAL LICENSE CAN TEST SPEED-MEASURING INSTRUMENTS, passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for S. B. 72, A BILL TO BE ENTITLED AN ACT TO MAKE DOGS AND OTHER ANIMALS IN A PERSON'S POSSESSION THE SUBJECT OF

LARCENY, passes its second reading, by electronic vote, (103-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 32, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 110 OF THE GENERAL STATUTES TO PROVIDE FOR THE USE OF UNEMPLOYMENT COMPENSATION BENEFITS FOR CHILD SUPPORT, passes its second reading, by electronic vote (104-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

On motion of Representative Hunt, seconded by Representative Thomas, the House adjourns to reconvene February 24, 1983 at 1:30 p.m.

THIRTY-SECOND DAY

House of Representatives
Thursday, February 24, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Brown.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of February 23 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Adams, Brawley, Burnley, Diamont, Foster, Ligon, Redding, Rhodes, Seymour, and Warren for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Quinn for the Committee on Finance:

Committee Substitute for H. B. 14, A BILL TO BE ENTITLED AN ACT TO CONFORM STATE LAW ON LEGISLATORS' INCOME TAX DEDUCTIONS FOR BUSINESS EXPENSES TO FEDERAL LAW, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for February 28, 1983. The original bill is placed on the Unfavorable Calendar.

On motion of Representative Quinn, H. B. 177, A BILL TO BE ENTITLED AN ACT PROVIDING COMPENSATION FOR INNOCENT VICTIMS OF CRIME, is withdrawn from the Committee on Finance and is re-referred to the Committee on Judiciary No. 3.

By Representative Brennan for the Committee on Human Resources:

H. B. 214, A BILL TO BE ENTITLED AN ACT TO AMEND THE REQUIREMENTS FOR OPERATING RESIDENTIAL CHILD-CARE AND CHILD-PLACEMENT FACILITIES, with a favorable report.

H. B. 215, A BILL TO BE ENTITLED AN ACT TO AMEND THE REQUIREMENTS FOR OPERATING RESIDENTIAL MATERNITY CARE HOMES, with a favorable report.

By Representative Fussell for the Committee on Highway Safety:

H. B. 197, A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL BRAKE LIGHTS TO BE RED AND ALL OTHER LIGHTS ON THE REAR OF ANY MOTOR VEHICLE TO BE AMBER, YELLOW, OR WHITE, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for February 28, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 198, A BILL TO BE ENTITLED AN ACT TO EXEMPT NONRESIDENT MILITARY DEPENDENTS FROM DRIVER'S LICENSE REQUIREMENTS, with a favorable report.

By Representative Pulley for the Committee on Judiciary No. 4:

H. B. 235, A BILL TO BE ENTITLED AN ACT REGARDING JURISDICTION TO OVERRIDE CERTAIN PRIVILEGES, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for February 28, 1983. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Clark:

H. B. 297, A BILL TO BE ENTITLED AN ACT TO RAISE THE SIZE OF ESTATES THAT MAY BE ADMINISTERED UNDER THE SMALL ESTATES PROVISIONS OF ARTICLE 25 OF CHAPTER 28A AND UNDER G.S. 7A-111 AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary No. 2.

By Representative Clark:

H. B. 298, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE COMMON LAW REQUIREMENT THAT A DEED BE SEALED AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary No. 2.

By Representatives Clark and Jeralds:

H. B. 299, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL GOVERNMENTS TO IMPLEMENT AND COMPLY WITH MINORITY OR WOMEN'S BUSINESS ENTERPRISE REQUIREMENTS FOR LOCALLY FUNDED PROJECTS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary No. 2.

By Representative Clark:

H. B. 300, A BILL TO BE ENTITLED AN ACT TO REWRITE AND BROADEN THE CARTWAY STATUTE AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary No. 2.

By Representative Clark:

H. B. 301, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 2B OF CHAPTER 45 TO MAKE THE JURISDICTION OF THE DISTRICT COURT CONSISTENT WITH THAT PROVIDED FOR IN ARTICLE 37 OF CHAPTER 1 AND ARTICLE 2A OF CHAPTER 45 AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary No. 2.

By Representative Clark:

H. B. 302, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE REQUIREMENT FOR A SEPARATE RECORD OF RENUNCIATION AND TO CLARIFY LANGUAGE REGARDING PARTIAL RENUNCIATIONS AS RCOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary No. 2.

By Representatives Hudson, Quinn, Slaughter, and Thomas:

H. B. 303, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ANNEXATION INTO UNION COUNTY BY ANY MUNICIPALITY LOCATED PRIMARILY OUTSIDE OF UNION COUNTY MAY ONLY BE BY REFERENDUM OR ONE HUNDRED PERCENT PETITION, is referred to the Committee on Local Government No. 1.

By Representatives Hudson, Quinn, Slaughter, and Thomas:

H. B. 304, A BILL TO BE ENTITLED AN ACT TO REQUIRE CONSENT OF THE UNION COUNTY BOARD OF COMMISSIONERS BEFORE LAND IN THAT COUNTY MAY BE CONDEMNED OR ACQUIRED BY A UNIT OF LOCAL GOVERNMENT OUTSIDE THE COUNTY, is referred to the Committee on Local Government No. 1.

By Representative Colton:

H. B. 305, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MEETINGS OF THE EXECUTIVE MANSION FINE ARTS COMMITTEE, is referred to the Committee on Cultural Resources.

By Representatives J. W. Crawford, Ballance, Church, Creecy, C. Hughes, McAlister, and Watkins:

H.B. 306, A BILL TO BE ENTITLED AN ACT TO ALLOW A SANITARY DISTRICT TO ENGAGE IN LITIGATION OR JOIN WITH OTHERS IN LITIGATION OPPOSING THE WITHDRAWAL OF WATER FROM THE ROANOKE RIVER BASIN, is referred to the Committee on Judiciary No. 1.

By Representatives Owens, Hauser, Hunt, and Lutz:

H. B. 307, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE USE OF LOCAL OR FEDERAL FUNDS TO PURCHASE REAL PROPERTY BY THE AREA MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE AUTHORITIES, is referred to the Committee on Human Resources.

By Representative Brennan:

H. B. 308, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE RELATING TO THE SALE OF REAL PROPERTY, is referred to the Committee on Local Government No. 2.

By Representative Brennan:

H. B. 309, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR VIOLATING ORDINANCES OF THE CITY OF CHARLOTTE, is referred to the Committee on Local Government No. 2.

By Representative Helms:

H. B. 310, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A CONSTITUTIONAL AMENDMENT APPROVED BY THE VOTERS BY PROVIDING FOR TEMPORARY SERVICE BY RETIRED STATE SUPREME COURT JUSTICES ON EITHER THE SUPREME COURT OR THE COURT OF APPEALS, AND TO AUTHORIZE THE CHIEF JUSTICE TO RECALL RETIRED JUDGES OR JUSTICES IF NECESSARY TO EXPEDITE THE WORK OF THE APPELLATE COURTS, is referred to the Committee on Courts and Administration of Justice.

By Representatives Brawley, Cochrane, and Huskins:

H. B. 311, A BILL TO BE ENTITLED AN ACT TO DEFINE THE CORPORATE LIMITS OF THE TOWN OF TROUTMAN IN IREDELL COUNTY, is referred to the Committee on Local Government No. 2.

By Representative Enloe:

H. B. 312, A BILL TO BE ENTITLED AN ACT TO PROVIDE THE STATE'S SHARE OF FUNDS FOR CONSTRUCTION OF THE FRANKLIN NATIONAL GUARD ARMORY, is referred to the Committee on Appropriations.

By Representatives Nesbitt, Adams, Beall, Beam, Black, Bowen, Brannan, Brennan, Chapin, Childress, Church, Coble, Colton, J. W. Crawford, N. J. Crawford, Enloe, Evans, Gist, Greenwood, Hackney, Hauser, Helms, C. Hughes, Jeralds, Lancaster, Matthews, Mavretic, Musselwhite, Payne, Pulley, Rabon, Robinson, Slaughter, Stamey, Watkins, Wicker, and C. Woodard:

H. B. 313, A BILL TO BE ENTITLED AN ACT TO PROMOTE FAIR COMMERCIAL PRACTICES IN THE WHOLESALE WINE INDUSTRY, is referred to the Committee on Small Business.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H. B. 8, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN OPTIONAL PRIVILEGE LICENSE TAX FOR PERSONS ENGAGED IN RETAIL VARIETY SALES BUSINESSES FOR WHICH PRIVILEGE LICENSES ARE REQUIRED, is returned for concurrence in Senate amendment and is placed on the Calendar for February 25, 1983.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 20, AN ACT TO TAX ALL INCOME OF AN EXEMPT CORPORATION THAT IS UNRELATED TO THE BASIS OF THE CORPORATION'S EXEMPTION.

H. B. 83, AN ACT TO PERMIT ASSISTANT FIRE MARSHALS TO USE A RED LIGHT AND SIREN ON THEIR VEHICLES.

S. B. 32, AN ACT TO AMEND CHAPTER 110 OF THE GENERAL STATUTES TO PROVIDE FOR THE USE OF UNEMPLOYMENT COMPENSATION BENEFITS FOR CHILD SUPPORT.

S. B. 62, AN ACT TO PROVIDE THAT A TECHNICIAN WITH A GENERAL LICENSE CAN TEST SPEED-MEASURING INSTRUMENTS.

S. B. 72, AN ACT TO MAKE DOGS AND OTHER ANIMALS IN A PERSON'S POSSESSION THE SUBJECT OF LARCENY.

CALENDAR

Action is taken on the following:

H. B. 243, A BILL TO BE ENTITLED AN ACT TO CHANGE THE SIZE, TERMS, AND MANNER OF ELECTION OF THE RICHMOND COUNTY BOARD OF EDUCATION, SUBJECT TO A REFERENDUM, passes its second reading, and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 244, A BILL TO BE ENTITLED AN ACT TO REDUCE THE SIZE OF THE RICHMOND COUNTY BOARD OF COMMISSIONERS FORM SIX TO FIVE AND PROVIDE THAT THE COMMISION SHALL ELECT ITS OWN CHAIRMAN.

On motion of Representative Lee, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 254, A BILL TO BE ENTITLED AN ACT TO CHANGE THE EFFECTIVE DATE OF AN ANNEXATION OF THE TOWN OF MOREHEAD CITY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S. B. 27, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE OFFICE OF CORONER IN MOORE COUNTY SUBJECT TO A REFERENDUM, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

On motion of Representative Wicker, Committee Substitute for H. B. 121, A BILL TO BE ENTITLED AN ACT ATO AMEND G.S. 20-16.2 RELATING TO MANDATORY REVOCATION OF LICENSE, is withdrawn from the Calendar of February 25, 1983, and is placed on the Calendar of March 1, 1983.

Committee Substitute for H. B. 151, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES RELATING TO PUBLIC ACCOUNTANTS.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Allran, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J.

W. Crawford, N. J. Crawford, Creecy, DeVane, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Roberts, Robinson, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 103.

Voting in the negative: None.

Excused absences: Representatives Adams, Brawley, Burnley, Diamont, Foster, Ligon, Lilley, Miller, Redding, Rhodes, Seymour, and Warren — 12.

H. B. 217, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF WINDSOR TO COLLECT ON MOTOR VEHICLES A TAX OF NOT MORE THAN TWO DOLLARS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brennan, Brown, Brubaker, Bumgardner, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Roberts, Robinson, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 101

Voting in the negative: None.

Excused absences: Representatives Adams, Brawley, Burnley, Diamont, Foster, Ligon, Lilley, Miller, Redding, Rhodes, Seymour, and Warren — 12.

H. B. 129, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DIVISION OF MOTOR VEHICLES MAY NOT ISSUE A DRIVER'S LICENSE TO A PERSON WHOSE LICENSE WAS CANCELLED IN ANOTHER JURISDICTION.

On motion of Representative Bumgardner, consideration of the bill is postponed until February 28, 1983.

H. B. 196, A BILL TO BE ENTITLED AN ACT TO AMEND G.S. 20-57(e) PERTAINING TO THE DIVISION ISSUING CERTIFICATE OF TITLES AND REGISTRATION CARDS, passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 57, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW CONCERNING REPORTING OF PRODUCT LIABILITY INSURANCE UNDERWRITING EXPERIENCE, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

On motion of Representative Hunt, seconded by Representative Varner, the House adjourns to reconvene February 25, 1983, at 11:00 a.m.

THIRTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Friday, February 25, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Locks.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of February 24 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Allran, Ballance, Blue, Bumgardner, Foster, Gillam, C. Hughes, Rhodes, and Seymour for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Wicker for the Committee on Law Enforcement:

H. B. 99, A BILL TO BE ENTITLED AN ACT BRINGING FORSYTH COUNTY UNDER GENERAL STATE LAW FOR PISTOL PERMIT FEES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives James and Evans:

H. B. 314, A BILL TO BE ENTITLED AN ACT TO PERMIT PASQUOTANK AND CHOWAN COUNTIES TO SELL IMPOUNDED DOGS AND CATS TO LICENSED ANIMAL DEALERS, is referred to the Committee on Agriculture.

By Representatives Wicker, Bob Etheridge, Nesbitt, Slaughter, and Watkins:

H. B. 315, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN LAWS PROHIBITING SALES OF ALCOHOLIC BEVERAGES TO MINORS, is referred to the Committee on Law Enforcement.

By Representatives Hackney and Barnes:

H. B. 316, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF HILLSBOROUGH TO BE DIVIDED INTO MORE THAN ONE PRECINCT AND TO VALIDATE ELECTIONS AND ACTIONS OF THAT TOWN, is referred to the Committee on Local Government No. 1.

By Representatives Warren and Jones:

H. B. 317, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN PROPERTY TO THE TOWN OF AYDEN, is referred to the Committee on Local Government No. 1.

By Representative B. Woodard:

H. B. 318, A BILL TO BE ENTITLED AN ACT TO REWRITE THE PUBLIC HEALTH LAWS, is referred to the Committee on Health.

By Representatives Pulley, Adams, Ballance, Barnes, Beall, Berry, Black, Blue, Brannan, Brennan, Bumgardner, Burnley, Childress, Clark, Coble, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, Diamont, Easterling, Economos, Enloe, Bruce Ethridge, Evans, Fenner, Fletcher, Gist, Greenwood, Grimsley, Hackney, Hauser, Hayden, Helms, Holt, C. Hughes, Hunter, Jeralds, Jones, Keesee, Kennedy, Lancaster, Lee, Ligon, Lilley, McAlister, McDowell, Nesbitt, Owens, Payne, Rabon, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Stamey, Tennille, Thomas, Tyndall, Tyson, and Wicker:

H.B. 319, A BILL TO BE ENTITLED AN ACT TO ADOPT A COMPARATIVE FAULT SYSTEM, is referred to the Committee on Judiciary No. 4.

By Representatives Tyson, Beall, Beard, Brennan, Easterling, Economos, Edwards, Hasty, Huskins, Jeralds, Jones, Locks, Lutz, and Womble:

H. B. 320, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEE FOR JURY SERVICE AND TO APPROPRIATE FUNDS FOR THAT INCREASE, is referred to the Committee on Courts and Administration of Justice.

By Representatives Jordan, Grimsley, Mauney, and Nash:

H. B. 321, A BILL TO BE ENTITLED AN ACT TO REQUIRE OUT-OF-STATE STUDENTS AT THE STATE'S INSTITUTIONS OF HIGHER EDUCATION TO PAY THE FULL COST OF THEIR EDUCATION, is referred to the Committee on Higher Education.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H. B. 43, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN CHANGES IN THE GOVERNOR'S ADVISORY COUNCIL ON AGING, is returned for concurrence in Senate amendment and is placed on the Calendar for February 28, 1983.

Committee Substitute for S. B. 94, A BILL TO BE ENTITLED AN ACT TO PLACE THE PRESIDENT OF THE MAGISTRATE'S ASSOCIATION ON THE COURTS COMMISSION, is read the first time and is referred to the Committee on Courts and Administration of Justice.

S. B. 103, A BILL TO BE ENTITLED AN ACT TO EXTEND THE MENTAL HEALTH STUDY COMMISSION, is read the first time and is referred to the Committee on Mental Health.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. B. 27, AN ACT TO ABOLISH THE OFFICE OF CORONER IN MOORE COUNTY SUBJECT TO A REFERENDUM.

H. B. 135, AN ACT TO AMEND THE AGE REQUIREMENT FOR PSYCHOLOGISTS TO CONFORM WITH G.S. 93B-9.

CALENDAR

Action is taken on the following:

H. B. 8, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN OPTIONAL PRIVILEGE LICENSE TAX FOR PERSONS ENGAGED IN RETAIL VARIETY SALES BUSINESSES FOR WHICH PRIVILEGE LICENSES ARE REQUIRED.

On motion of Representative Lilley, the House concurs in the Senate amendment and the bill is ordered enrolled.

Committee Substitute for H. B. 101, A BILL TO BE ENTITLED AN ACT TO RAISE AGE LIMITS FOR DAY-CARE STAFF.

Representative Keesee offers Amendment No. 1. Upon suspension of the rules, the amendment is adopted by voice vote.

The bill, as amended, passes its third reading, by electronic vote (96-4), and is ordered engrossed and sent to the Senate.

H. B. 214, A BILL TO BE ENTITLED AN ACT TO AMEND THE REQUIREMENTS FOR OPERATING RESIDENTIAL CHILD-CARE AND CHILD-PLACEMENT FACILITIES.

Representative Pulley offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 215, A BILL TO BE ENTITLED AN ACT TO AMEND THE REQUIREMENTS FOR OPERATING RESIDENTIAL MATERNITY CARE HOMES, passes its second reading, by electronic vote (102-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 198, A BILL TO BE ENTITLED AN ACT TO EXEMPT NONRESIDENT MILITARY DEPENDENTS FROM DRIVER'S LICENSE REQUIREMENTS, passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Representative Church requests that the Journal show he voted in the affirmative on the third reading of the bill.

On motion of Representative Hunt, seconded by Representative Thomas, the House adjourns to reconvene Monday, February 28, 1983 at 8:00 p.m.

THIRTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Monday, February 28, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend James McKinnon, First Presbyterian Church, Wilson, North Carolina.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of February 25 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Beard, Bumgardner, Burnley, Evans, Foster, Lilley, Seymour, Spoon, and Tyson for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Wicker for the Committee on Law Enforcement:

H. B. 152, A BILL TO BE ENTITLED AN ACT TO PERMIT TRANSFER OF PRISONERS AMONG COUNTIES, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for March 2, 1983. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Easterling, Berry, Black, Brennan, Economos, Helms, and Spoon:

H. B. 322, A BILL TO BE ENTITLED AN ACT FINDING AND DECLARING THAT THE STATE SHALL MONITOR AND SUPERVISE IMPLEMENTATION OF SOLID WASTE MANAGEMENT PLANS; FINDING AND DECLARING THAT NO CITY, COUNTY, PERSON OR OTHER ENTITY SHALL COMPETE WITH A SOLID WASTE MANAGEMENT PLAN FOR SPECIFIED GEOGRAPHIC AREAS; AUTHORIZING THE DEPARTMENT OF HUMAN RESOURCES TO DESIGNATE GEOGRAPHIC AREAS WITHIN WHICH A SOLID WASTE MANAGEMENT PLAN WILL PROVIDE FOR THE COLLECTION, TRANSPORTATION, STORAGE AND DISPOSAL OF SOLID WASTE; AND REQUIRING WASTE GENERATED WITHIN SAID AREAS TO BE PROCESSED, TREATED AND DISPOSED OF AT PERMITTED SOLID WASTE MANAGEMENT FACILITIES, is referred to the Committee on Water and Air Resources.

By Representatives Easterling, Berry, Black, Brennan, Economos, Helms, and Spoon:

H. B. 323, A BILL TO BE ENTITLED AN ACT TO EXPAND THE POWERS OF MUNICIPALITIES WITH RESPECT TO THE ISSUANCE OF REVENUE BONDS FOR SYSTEMS, FACILITIES AND EQUIPMENT FOR THE COLLECTION, TREATMENT OR DISPOSAL OF SOLID WASTE, is referred to the Committee on Water and Air Resources.

By Representatives Easterling, Berry, Black, Brennan, Economos, Helms, and Spoon:

H. B. 324, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITIES AND COUNTIES TO PREPARE REQUESTS FOR PROPOSALS FOR THE CONSTRUCTION, DESIGN AND OPERATION OF SOLID WASTE MANAGEMENT FACILITIES; AUTHORIZING CITIES AND COUNTIES TO EVALUATE PROPOSALS ON THE BASIS OF FACTORS OTHER THAN PRICE ALONE; AUTHORIZING CITIES AND COUNTIES TO SELECT A PROPOSER ON THE BASIS OF THE EVALUATION OF PROPOSALS RECEIVED; AUTHORIZING CITIES AND COUNTIES TO NEGOTIATE A CONTRACT WITH SELECTED PROPOSER; PROVIDING FOR CONTRACT DURATION AND TERMS; AND REQUIRING COMPETITIVE BIDDING FOR ANCILLARY FACILITIES, is referred to the Committee on Water and Air Resources.

By Representative James:

H. B. 325, A BILL TO BE ENTITLED AN ACT TO AMEND THE WEIGHTS AND MEASURES LAW CONCERNING SCALE TECHNICIANS, is referred to the Committee on Agriculture.

By Representatives Beard and C. Hughes:

H. B. 326, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE STATE BOARD OF COMMUNITY COLLEGES TO PROVIDE EDUCATION AND TRAINING FOR THE MENTALLY RETARDED ADULT POPULATION, is referred to the Committee on Mental Health.

By Representatives Lilley, Beall, Holt, and Jordan:

H. B. 327, A BILL TO BE ENTITLED AN ACT TO INCLUDE CERTAIN COMPUTER PROGRAMS IN THE DEFINITION OF TANGIBLE PERSONAL PROPERTY UNDER THE SALES AND USE TAX PROVISIONS, is referred to the Committee on Finance.

By Representative Evans:

H. B. 328, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE FIRST FLIGHT SOCIETY, is referred to the Committee on Cultural Resources.

By Representative Womble:

H. B. 329, A BILL TO BE ENTITLED AN ACT TO AMEND G.S. 155C-41 PERTAINING TO ORGANIZATION OF LOCAL BOARDS OF EDUCATION, is referred to the Committee on Education.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S. B. 49, A BILL TO BE ENTITLED AN ACT RELATING TO THE INITIAL APPOINTMENT OF NOTARIES PUBLIC, is read the first time and is referred to the Committee on State Government.

S. B. 57, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET PROVISION IN THE 1981 ACT CHANGING THE RATE OF INTEREST IN THE CONSUMER FINANCE ACT, is read the first time and is referred to the Committee on Banks and Thrift Institutions.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 8, AN ACT TO PROVIDE AN OPTIONAL PRIVILEGE LICENSE TAX FOR PERSONS ENGAGED IN RETAIL VARIETY SALES BUSINESSES FOR WHICH PRIVILEGE LICENSES ARE REQUIRED.

H. B. 36, AN ACT TO REPEAL CERTAIN OBSOLETE CRIMINAL STATUTES REGARDING DISTURBANCES.

CALENDAR

Action is taken on the following:

H. B. 43, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN CHANGES IN THE GOVERNOR'S ADVISORY COUNCIL ON AGING.

On motion of Representative Economos, the House concurs in the Senate amendment, by electronic vote (100-1), and the bill is ordered enrolled.

H. B. 245, A BILL TO BE ENTITLED AN ACT TO CHANGE THE STYLE OF THE GOVERNING BOARD OF THE CITY OF LINCOLNTON FROM THE BOARD OF ALDERMEN TO THE CITY COUNCIL.

On motion of Representative Roberts, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H.B. 129, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DIVISION OF MOTOR VEHICLES MAY NOT ISSUE A DRIVER'S LICENSE TO A PERSON WHOSE LICENSE WAS CANCELLED IN ANOTHER JURISDICTION.

On motion of Representative Beam, consideration of the bill is postponed until March 2, 1983.

Committee Substitute for H. B. 14, A BILL TO BE ENTITLED AN ACT TO CONFORM STATE LAW ON LEGISLATORS' INCOME TAX DEDUCTIONS FOR BUSINESS EXPENSES TO FEDERAL LAW, passes its second reading by electronic vote (97-9).

Representative Church objects to the third reading. The bill remains on the Calendar.

Committee Substitute for H. B. 197, A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL BRAKE LIGHTS TO BE RED AND PERMIT OTHER LIGHTS ON THE REAR OF ANY MOTOR VEHICLE TO BE AMBER, YELLOW, OR WHITE.

Representative Lancaster offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (103-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Committee Substitute for H. B. 235, A BILL TO BE ENTITLED AN ACT REGARDING JURISDICTION TO OVERRIDE CERTAIN PRIVILEGES, passes its second reading by electronic vote (102-1).

Representative Pulley objects to the third reading. The bill remains on the Calendar.

On motion of Representative Hunt, seconded by Representative Beall, the House adjourns to reconvene March 1, 1983 AT 1:30 p.m.

THIRTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Monday, March 1, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend Arthur Colson, Jacksonville, North Carolina.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of February 28 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Bumgardner, Foster, and Seymour for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Economos for the Committee on Aging:

S.B. 18, A BILL TO BE ENTITLED AN ACT TO AMEND DOMICILIARY HOME COMMUNITY ADVISORY COMMITTEES, with an unfavorable report as to bill, favorable as to House committee substitute bill.

The House substitute bill is placed on the Calendar for March 3, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative James for the Committee on Agriculture:

H. B. 314, A BILL TO BE ENTITLED AN ACT TO PERMIT PASQUOTANK AND CHOWAN COUNTIES TO SELL IMPOUNDED DOGS AND CATS TO LICENSED ANIMAL DEALERS, with a favorable report, as amended.

H. B. 325, A BILL TO BE ENTITLED AN ACT TO AMEND THE WEIGHTS AND MEASURES LAW CONCERNING SCALE TECHNICIANS, with a favorable report.

By Representative Miller for the Committee on Judiciary No. 1:

H. B. 67, A BILL TO BE ENTITLED AN ACT TO REWRITE AND SIMPLIFY G.S. 14-269 REGARDING CARRYING CONCEALED WEAPONS, with a favorable report, as amended.

H. B. 141, A BILL TO BE ENTITLED AN ACT TO INCLUDE EDUCATIONAL, PROFESSIONAL AND CAREER ASPIRATIONS AS A CONSIDERATION IN ALIMONY AWARDS, with a favorable report, as amended.

H. B. 142, A BILL TO BE ENTITLED AN ACT TO DEFINE RESUMPTION OF MARITAL RELATIONS BY SEPARATED SPOUSES, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for March 3, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 192, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AGGRAVATING FACTOR REGARDING PECUNIARY GAIN UNDER THE FAIR SENTENCING ACT, with a favorable report.

By Representative Church for the Committee on State Government:

H. B. 211, A BILL TO BE ENTITLED AN ACT TO AMEND THE NURSING HOME ADMINISTRATOR ACT, with a favorable report, as amended.

H. B. 256, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 89D, CONCERNING LANDSCAPE CONTRACTORS, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Finance.

On motion of Representative Church, Committee Amendment No. 1 is adopted.

The bill is ordered engrossed and re-referred to the Committee on Finance.

H. B. 257, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THREE-YEAR TERMS FOR MEMBERS OF THE STATE BOARD OF REGISTRATION FOR FORESTERS AND TO SET A LIMIT OF TWO CONSECUTIVE TERMS, with a favorable report.

H. B. 258, A BILL TO BE ENTITLED AN ACT TO AMEND THE PRACTICING PSYCHOLOGISTS LICENSING ARTICLE, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S. B. 47, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF DEPARTMENTAL HEADS TO ADOPT RULES AND POLICIES, is read the first time and is referred to the Committee on State Government.

CALENDAR

Action is taken on the following:

Committee Substitute for H. B. 14, A BILL TO BE ENTITLED AN ACT TO CONFORM STATE LAW ON LEGISLATORS' INCOME TAX DEDUCTIONS FOR BUSINESS EXPENSES TO FEDERAL LAW.

The bill passes its third reading, by electronic vote (90-17), and is ordered sent to the Senate.

Committee Substitute for H. B. 235, A BILL TO BE ENTITLED AN ACT REGARDING JURISDICTION TO OVERRIDE CERTAIN PRIVILEGES.

Representative Miller offers Amendment No. 1 which is adopted, by electronic vote (105-2).

The bill, as amended, passes its third reading, by electronic vote (111-1), and is ordered engrossed and sent to the Senate.

Committee Substitute for H. B. 121, A BILL TO BE ENTITLED AN ACT TO AMEND G.S. 20-16.2 RELATING TO MANDATORY REVOCATION OF LICENSE, passes its second reading, by electronic vote (112-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 43, AN ACT TO MAKE CERTAIN CHANGES IN THE GOVERNOR'S ADVISORY COUNCIL ON AGING.

On motion of Representative Hunt, seconded by Representative Gillam, the House adjourns to reconvene March 2, 1983 at 1:30 p. m.

THIRTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, March 2, 1983

The House meets pursuant to adjournment and is called to order by the Speaker:

Prayer is offered by Representative Grimsley.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of March 1 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Foster and Seymour for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Church for the Committee on State Government:

H. B. 248, A BILL TO BE ENTITLED AN ACT TO AMEND THE REGULATORY AUTHORITY OF THE REAL ESTATE LICENSING BOARD AND TO CHANGE THE NAME OF THE BOARD TO REPEAL ESTATE COMMISSION, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for March 4, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 289, A BILL TO BE ENTITLED AN ACT TO INCREASE THE CONTRACT AMOUNT OVER WHICH A CONTRACTOR MUST BE LICENSED TO EIGHTY THOUSAND DOLLARS, with an unfavorable report.

By Representative Fussell for the Committee on Highway Safety:

H. B. 209, A BILL TO BE ENTITLED AN ACT TO EXEMPT TOW DOLLIES FROM CERTIFICATE OF TITLE AND REGISTRATION REQUIREMENTS FOR MOTOR VEHICLES, with a favorable report, as amended.

H. B. 210, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSIONER OF MOTOR VEHICLES TO COLLECT A FEE TO COVER THE COSTS OF APPROVING EQUIPMENT FOR USE ON MOTOR VEHICLES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

S. B. 68, A BILL TO BE ENTITLED AN ACT TO AMEND AND CLARIFY THE PENALTIES FOR DRIVING ON A PERMANENTLY REVOKED LICENSE, with a favorable report.

By Representative Wright for the Committee on Judiciary No. 2:

H. B. 297, A BILL TO BE ENTITLED AN ACT TO RAISE THE SIZE OF ESTATES THAT MAY BE ADMINISTERED UNDER THE SMALL ESTATES PROVISIONS OF ARTICLE 25 OF CHAPTER 28A AND UNDER G.S. 7A-111 AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

H. B. 302, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE REQUIREMENT FOR A SEPARATE RECORD OF RENUNCIATION AND TO CLARIFY LANGUAGE REGARDING PARTIAL RENUNCIATIONS AND RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

By Representative Lilley, for the Committee on Local Government No. 1:

H. B. 78, A BILL TO BE ENTITLED AN ACT TO ALLOW THE MECKLENBURG COUNTY BOARD OF EDUCATION TO FILL BY APPOINTMENT A VACANCY CREATED WHEN A MEMBER IS ELECTED TO ANOTHER PUBLIC OFFICE, LOCAL, STATE OR FEDERAL, with a favorable report.

H. B. 181, A BILL TO BE ENTITLED AN ACT TO EXPAND THE EXTRATERRITORIAL JURISDICTION OF THE NORWOOD TOWN POLICE TO TWO MILES, with a favorable report, as amended.

By Representative Lutz for the Committee on Local Government No. 2:

H. B. 283, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF ALBEMARLE TO CONVEY AT PRIVATE SALE A TRACT OF LAND TO COLLINS AND AIKMAN CORPORATION ON A BASIS OTHER THAN THE HIGHEST MONETARY BID, BECAUSE SUCH DISPOSITION IS FOUND TO SERVE THE BEST INTEREST OF THE MUNICIPALITY, with a favorable report.

H. B. 308, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE RELATING TO THE SALE OF REAL PROPERTY, with a favorable report, as amended.

H. B. 309, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR VIOLATING ORDINANCES OF THE CITY OF CHARLOTTE, with a favorable report.

H. B. 311, A BILL TO BE ENTITLED AN ACT TO DEFINE THE CORPORATE LIMITS OF THE TOWN OF TROUTMAN IN IREDELL COUNTY, with a favorable report.

S. B. 73, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF CAJAH MOUNTAIN IN CALDWELL COUNTY, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Fletcher:

H.B. 330, A BILL TO BE ENTITLED AN ACT TO PROVIDE A SUPPLEMENTAL RETIREMENT FUND FOR FIREMEN IN THE TOWN OF VALDESE, AND TO MODIFY THE APPLICATION OF G.S. 118-5, G.S. 118-6, AND G.S. 118-7 TO THE TOWN OF VALDESE, is referred to the Committee on Pensions and Retirement.

By Representative Hackney:

H. B. 331, A BILL TO BE ENTITLED AN ACT TO CHANGE THE ELIGIBILITY FOR APPOINTMENT OF COUNSEL FOR INDIGENTS FOR REHEARINGS PURSUANT TO CHAPTER 122 OF THE GENERAL STATUTES, is referred to the Committee on Judiciary No. 1.

By Representatives Hackney, Barnes, Childress, Cook, and Hauser:

H. B. 332, A BILL TO BE ENTITLED AN ACT TO REQUIRE REPORTING OF ALL CASES OF ABUSED JUVENILES TO THE DISTRICT ATTORNEY, is referred to the Committee on Judiciary No. 1.

By Representatives Lilley, Barker, Beard, Brawley, Brown, Brubaker, Church, Bob Etheridge, Holmes, Lacey, Lee, Ligon, Mavretic, Redding, Warren, and Wicker:

H. J. R. 333, A JOINT RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO ADOPT A NATIONAL STRATEGY OF PEACE THROUGH STRENGTH, is referred to the Committee on Rules and Operation of the House.

By Representatives Chapin, Anderson, Barker, Barnes, Black, Blue, Bowen, Brennan, Brown, Coble, Cochrane, Colton, N. J. Crawford, Diamont, Easterling, Economos, Edwards, Bruce Ethridge, Evans, Fussell, Gentry, Gillam, Greenwood, Grimsley, Hackney, Hauser, Hayden, Holmes, Jarrell, Jeralds, Keesee, Lacey, Lambeth, Lancaster, Locks, Mavretic, Nesbitt, Owens, Pulley, Quinn, Rabon, Rhodes, Robinson, Slaughter, Stamey, Tyndall, Varner, Wicker, Womble, B. Woodard, C. Woodard, and Wright:

H. B. 334, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM PROVIDING FOR PUBLIC SCHOOL TEACHERS AND COLLEGE EDUCATION TEACHERS TO EXCHANGE DUTIES, is referred to the Committee on Education.

By Representatives McDowell, Holt, Jordan, and McAlister:

H. B. 335, A BILL TO BE ENTITLED AN ACT TO ESTABLISH MINIMUM IN-SERVICE TRAINING STANDARDS, is referred to the Committee on Corrections.

By Representative Adams:

H. B. 336, A BILL TO BE ENTITLED AN ACT TO REGAIN THE STATE'S AUTHORITY OVER INTEREST LAWS, AND TO MAKE APPROPRIATE CHANGES IN THE STATE'S INTEREST LAWS, is referred to the Committee on Banks and Thrift Institutions.

By Representatives Lilley, Anderson, and Barker:

H. B. 337, A BILL TO BE ENTITLED AN ACT TO EXPAND THE MEMBERSHIP OF THE INDUSTRIAL-AGRICULTURAL DEVELOPMENT COMMISSION OF LENOIR COUNTY, is referred to the Committee on Local Government No. 1.

By Representatives Brennan and Hauser:

H. B. 338, A BILL TO BE ENTITLED AN ACT TO PROVIDE TUITION AND FEES WAIVER FOR DEPENDENT CHILDREN OF EMPLOYEES OF THE UNIVERSITY OF NORTH CAROLINA ACCIDENTALLY KILLED ON THE JOB, is referred to the Committee on Higher Education.

By Representatives Adams, Blue, Cook, Fussell, Musselwhite, and Stamey:

H. B. 339, A BILL TO BE ENTITLED AN ACT TO REDEFINE THE BOUNDARIES OF THE STATE GOVERNMENT CENTER AS SET FORTH IN G.S. 146-22.1(3), is referred to the Committee on State Properties.

By Representatives B. Woodard and Brannan:

H. J.R. 340, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JONAS MELVIN (JACK) GARDNER, A FORMER MEMBER OF THE GENERAL ASSEMBLY FROM JOHNSTON COUNTY, is referred to the Committee on Rules and Operation of the House.

By Representatives Edwards, Ballance, Berry, Black, Blue, Brennan, Cook, Creecy, Fussell, Hauser, Hayden, Jeralds, Kennedy, Locks, Spaulding, and Stamey:

H. B. 341, A BILL TO BE ENTITLED AN ACT TO PROHIBIT DISCRIMINATION IN HOUSING, is referred to the Committee on Housing.

On motion of Representative Helms, the rules are suspended and the following bill is introduced and read the first time:

By Representatives Helms, Adams, Blue, Cook, Hackney, and Spaulding:

H. R. 352, A HOUSE RESOLUTION URGING THE UNITED STATES GOVERNMENT TO SEEK A BILATERAL, VERIFIABLE FREEZE AND REDUCTION IN NUCLEAR WEAPONS, is referred to the Committee on Rules and Operation of the House.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H. B. 102, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF DAY-CARE FACILITY, is returned for concurrence in two Senate amendments and is placed on the Calendar for March 3, 1983.

Committee Substitute for S. B. 42, A BILL TO BE ENTITLED AN ACT SHORTENING THE PERIOD FOR REVOCATION OF THE NATURAL PARENT'S CONSENT TO AN ADOPTION, is read the first time and is referred to the Committee on Judiciary No. 1.

Committee Substitute for S. B. 120, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE COURT TO ORDER DIRECT PAYMENT FOR FEES FOR APPOINTED COUNSEL, is read the first time and is referred to the Committee on Courts and Administration of Justice.

On motion of Representative Lancaster, H. B. 177, A BILL TO BE ENTITLED AN ACT PROVIDING COMPENSATION FOR INNOCENT VICTIMS OF CRIME, is withdrawn from the Committee on Judiciary No. 3 and is re-referred to the Committee on Judiciary No. 2.

CALENDAR

The Speaker, having ascertained that the electronic voting equipment is inoperative, rules that votes on non-roll call bills will be by voice vote for today.

Action is taken on the following:

H. B. 129, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DIVISION OF MOTOR VEHICLES MAY NOT ISSUE A DRIVER'S LICENSE TO A PERSON WHOSE LICENSE WAS CANCELLED IN ANOTHER JURISDICTION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 152, A BILL TO BE ENTITLED AN ACT TO PERMIT TRANSFER OF PRISONERS AMONG COUNTIES, passes its second reading and there being no objection is read a third time. The bill passes its third reading and is ordered sent to the Senate.

H. B. 314, A BILL TO BE ENTITLED AN ACT TO PERMIT PASQUOTANK AND CHOWAN COUNTIES TO SELL IMPOUNDED DOGS AND CATS TO LICENSED ANIMAL DEALERS.

On motion of Representative James, the bill with amendment is re-referred to the Committee on Agriculture.

H. B. 325, A BILL TO BE ENTITLED AN ACT TO AMEND THE WEIGHTS AND MEASURES LAW CONCERNING SCALE TECHNICIANS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 67, A BILL TO BE ENTITLED AN ACT TO REWRITE AND SIMPLIFY G.S. 14-269 REGARDING CARRYING CONCEALED WEAPONS.

On motion of Representative Hackney, Committee Amendment No. 1 is adopted.

Representative Hackney offers Amendment No. 2 which is adopted.

The bill, as amended, pases its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 141, A BILL TO BE ENTITLED AN ACT TO INCLUDE EDUCATIONAL, PROFESSIONAL AND CAREER ASPIRATIONS AS A CONSIDERATION IN ALIMONY AWARDS.

On motion of Representative Payne, Committee Amendment No. 1 is adopted. This amendment changes the title.

Representative Hackney offers Amendment No. 2 which is adopted.

A division having been called, the bill, as amended, passes its second reading with 81 members voting in the affirmative and 28 members voting in the negative.

Representative Jordan objects to the third reading. The bill remains on the Calendar.

H. B. 192, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AGGRAVATING FACTOR REGARDING PECUNIARY GAIN UNDER THE FAIR SENTENCING ACT.

Representative Hackney offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 211, A BILL TO BE ENTITLED AN ACT TO AMEND THE NURSING HOME ADMINISTRATOR ACT.

On motion of Representative Church, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading.

Representative Locks objects to the third reading. The bill remains on the Calendar.

H. B. 257, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THREE-YEAR TERMS FOR MEMBERS OF THE STATE BOARD OF REGISTRATION FOR FORESTERS AND TO SET A LIMIT OF TWO CONSECUTIVE TERMS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

On motion of Representative Hunt, seconded by Representative Anderson,the House adjourns to reconvene March 3, 1983 at 1:30 p.m.

THIRTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Thursday, March 3, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Womble.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of March 2 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Foster, Musselwhite, Rhodes, and Seymour for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Quinn for the Committee on Finance:

H. B. 99, A BILL TO BE ENTITLED AN ACT BRINGING FORSYTH COUNTY UNDER GENERAL STATE LAW FOR PISTOL PERMIT FEES, with a favorable report.

Committee Substitute for H. B. 123, A BILL TO BE ENTITLED AN ACT TO AMEND G.S. 20-309(e) RELATIVE TO A LAPSE IN INSURANCE COVERAGE ON MOTOR VEHICLES, with a favorable report.

H. B. 213, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 7 OF CHAPTER 90 OF THE GENERAL STATUTES RELATING TO THE BOARD OF OSTEOPATHIC EXAMINATION AND REGISTRATION AND TO PERMIT HIGHER REGISTRATION FEES, with a favorable report.

H. B. 249, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GOVERNING BODY OF A TAXING UNIT MAY DELAY THE ACCRUAL OF INTEREST ON CERTAIN UNPAID PROPERTY TAXES, with a favorable report.

On motion of Representative Nesbitt, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading by electronic vote (105-0).

The bill passes its third reading and is ordered sent to the Senate.

H. B. 256, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 89D, CONCERNING LANDSCAPE CONTRACTORS, with a favorable report.

H. B. 258, A BILL TO BE ENTITLED AN ACT TO AMEND THE PRACTICING PSYCHOLOGISTS LICENSING ARTICLE, with a favorable report.

S. B. 54, A BILL TO BE ENTITLED AN ACT TO AMEND THE AUTHORITY TO SET FEES FOR THE BOARD OF MEDICAL EXAMINERS, with a favorable report.

By Representative Gentry for the Committee on Election Laws:

H. B. 55, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ORANGE COUNTY BOARD OF ELECTIONS TO ESTABLISH A SECOND OFFICE TO HANDLE ONE-STOP ABSENTEE VOTING, with a favorable report.

By Representative Miller for the Committee on Judiciary No. 1:

S.B. 29, A BILL TO BE ENTITLED AN ACT PERMITTING A COURT TO ORDER CHILD SUPPORT PAYMENTS TO CONTINUE FOR AS LONG AS THE CHILD IS IN HIGH SCHOOL, with a favorable report.

H.B. 306, A BILL TO BE ENTITLED AN ACT TO ALLOW A SANITARY DISTRICT TO ENGAGE IN LITIGATION OR JOIN WITH OTHERS IN LITIGATION OPPOSING THE WITHDRAWAL OF WATER FROM THE ROANOKE RIVER BASIN, with a favorable report, as amended.

By Representative Lambeth for the Committee on Wildlife Resources:

H. B. 296, A BILL TO BE ENTITLED AN ACT RELATING TO HUNTING FOXES IN ONSLOW COUNTY, with a favorable report, as amended.

By Representative Brannan for the Committee on Housing:

H. B. 274, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA HOUSING FINANCE AGENCY TO MAKE LOANS TO MORTGAGE LENDERS, with a favorable report, as amended.

H.B. 275, A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENT FOR A CERTIFICATE OF CONVENIENCE AND NECESSITY FROM THE UTILITIES COMMISSION BEFORE A HOUSING AUTHORITY CAN EXERCISE

THE POWER OF EMINENT DOMAIN, with a favorable report.

H. J. R. 279, A JOINT RESOLUTION MEMORIALIZING CONGRESS IN OPPOSITION TO FEDERAL TERMINATION OF LOW-INCOME HOUSING PROGRAMS, with a favorable report.

H. J. R. 280, A JOINT RESOLUTION MEMORIALIZING CONGRESS TO PASS LEGISLATION AUTHORIZING TAX DEDUCTIONS FOR MONEY SAVED FOR PURCHASE OF A HOME, with a favorable report, as amended.

By Representative Hunt for the Committee on rules and Operation of the House:

H. R. 352, A HOUSE RESOLUTION URGING THE UNITED STATES GOVERNMENT TO SEEK A BILATERAL, VERIFIABLE FREEZE AND REDUCTION IN NUCLEAR WEAPONS, with recommendation that it be adopted, as amended.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Auman:

H. B. 342, A BILL TO BE ENTITLED AN ACT TO PERMIT ALTERNATIVE MARKINGS ON VEHICLES TRANSPORTING DANGEROUS ARTICLES THAT STOP AT RAILROAD CROSSINGS, is referred to the Committee on Highway Safety.

By Representatives Barnes, Hackney, C. Hughes, Lancaster, and C. Woodard:

H. B. 343, A BILL TO BE ENTITLED AN ACT TO DELETE THE OBSOLETE REQUIREMENT THAT SHERIFFS FURNISH A BOND FOR THE COLLECTION OF TAXES, is referred to the Committee on Law Enforcement.

By Representative Owens:

H. B. 344, A BILL TO BE ENTITLED AN ACT TO CHANGE THE FILING DEADLINE FOR ELECTION TO THE RUTHERFORD COUNTY BOARD OF EDUCATION, is referred to the Committee on Local Government No. 1.

By Representatives Payne, Rabon, and Rhodes:

H. B. 345, A BILL TO BE ENTITLED AN ACT TO ALLOW WATER AND SEWER AUTHORITIES TO DEFEND OFFICERS AND EMPLOYEES AND PAY ANY OR ALL OF A CLAIM MADE OR CIVIL JUDGEMENT ENTERED AGAINST ANY OF THEM, is referred to the Committee on Judiciary No. 1.

By Representatives Payne, Rabon, and Rhodes:

H. B. 346, A BILL TO BE ENTITLED AN ACT TO SET LIMITS ON THE OPENING DATE FOR PUBLIC SCHOOLS, is referred to the Committee on Judiciary No. 1.

By Representatives Payne, Rabon, and Rhodes:

H. B. 347, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 669 OF THE SESSION LAWS OF 1943, AS AMENDED, TO GIVE THE BOARD OF COMMISSIONERS OF THE COUNTY OF NEW HANOVER THE AUTHORITY TO TERMINATE THE RETIREMENT SYSTEM OF NEW HANOVER COUNTY, NORTH CAROLINA, is referred to the Committee on Pensions and Retirement.

By Representatives Payne and Rhodes:

H. B. 348, A BILL TO BE ENTITLED AN ACT TO ADD NEW HANOVER COUNTY TO THE PROVISIONS OF THE GENERAL STATUTES RELATING TO ATTACHMENT OR GARNISHMENT AND LIEN FOR AMBULANCE SERVICE IN CERTAIN COUNTIES, is referred to the Committee on Local Government No. 1.

By Representatives Hasty, DeVane, Lee, and Locks:

H. B. 349, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DEFINITION OF SUBDIVISION FOR SUBDIVISION REGULATION IN SCOTLAND COUNTY, is referred to the Committee on Local Government No. 2.

By Representatives Nash and Ligon:

H. B. 350, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ELECTION OF MEMBERS OF THE ROWAN COUNTY BOARD OF EDUCATION IN THE GENERAL ELECTION, is referred to the Committee on Local Government No. 2.

By Representatives Beam, Bumgardner, Mauney, and Roberts:

H. B. 351, A BILL TO BE ENTITLED AN ACT TO CHANGE THE POPULATION REQUIREMENT FOR A COUNTY DEPARTMENT OF HUMAN RESOURCES, is referred to the Committee on Judiciary No. 4.

By Representatives Helms and C. Hughes:

H. B. 353, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PART-TIME MAGISTRATES SHALL BE PAID A SALARY PROPORTIONATE TO THAT PAID A FULL-TIME MAGISTRATE HAVING THE SAME RECOGNIZED YEARS OF SERVICE AND EDUCATION AS THE PART-TIME MAGISTRATE, is referred to the Committee on Courts and Administration of Justice.

By Representatives Adams and Watkins (co-sponsors):

H. J. R. 354, A JOINT RESOLUTION DIRECTING THE OFFICE OF STATE BUDGET AND MANAGEMENT TO PREPARE THE STATE BUDGET TO REFLECT THE COSTS OF THE STATE'S SHARE OF LOCALLY OPERATED SERVICE PROGRAMS, is referred to the Committee on Appropriations.

By Representatives Hudson, Adams, Fletcher, Hasty, and Slaughter:

H. B. 355, A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL EMPLOYERS TO REMIT WITHHOLDING TAXES ON A MONTHLY BASIS, is referred to the Committee on Finance.

By Representative Tennille:

H. B. 356, A BILL TO BE ENTITLED AN ACT TO DELAY THE EFFECTIVE DATE FOR THE REMOVAL OF JUVENILES FROM JAILS, is referred to the Committee on Corrections.

By Representatives Rhodes, Payne, and Rabon:

H. B. 357, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF NEW HANOVER COUNTY TO CLOSE ROADS OR EASEMENTS THAT HAVE BEEN OFERED FOR DEDICATION BUT NEVER ACCEPTED BY A PUBLIC BODY, is referred to the Committee on Local Government No. 2.

By Representatives Rhodes, Payne, and Rabon:

H. B. 358, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF NEW HANOVER COUNTY TO NAME ALL ROADS PUBLIC AND PRIVATE AND ASSIGN STREET NUMBERS IN UNINCORPORATED AREAS, is referred to the Committee on Local Government No. 2.

By Representatives Rhodes, Payne, and Rabon:

H. B. 359, A BILL TO BE ENTITLED AN ACT TO ALLOW NEW HANOVER COUNTY TO NAME AND ASSIGN STREET NUMBERS TO PRIVATE ROADS IN UNINCORPORATED AREAS, is referred to the Committee on Local Government No. 2.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S. B. 95, A BILL TO BE ENTITLED AN ACT TO ALLOW THE MONTGOMERY COUNTY BOARD OF EDUCATION TO CONVEY CERTAIN LANDS AT PRIVATE SALE TO THE CANDOR LIONS CLUB, is read the first time and is referred to the Committee on Local Government No. 1.

Committee Substitute for S. B. 97, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LENGTH OF TIME FOR WHICH NOTICE OF A FORECLOSURE HEARING MUST BE POSTED, is read the first time and is referred to the Committee on Judiciary No. 1.

S. B. 138, A BILL TO BE ENTITLED AN ACT TO ALLOW THE SHERIFF AND DEPUTY SHERIFFS OF CARTERET COUNTY TO PURCHASE AUTOMOBILES FROM STATE SURPLUS, is read the first time and is referred to the Committee on Local Government No. 1.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 85, AN ACT TO REGULATE HUNTING IN LENOIR COUNTY.

H. B. 95, AN ACT REGARDING AMBULANCE SERVICE IN CHEROKEE, CLAY, DAVIE, HOKE, MACON, WILKES, AND YADKIN COUNTIES.

H. B. 111, AN ACT TO AMEND G.S. 20-88 RELATING TO PROPERTY-HAULING VEHICLES.

H. B. 120, AN ACT TO AMEND G.S. 44A-4 RELATING TO SALE OF MOTOR VEHICLES TO SATISFY LIENS.

H. B. 126, AN ACT TO CHANGE THE DATE WHEN THE TERM OF OFFICE OF THE SHERIFF OF CLEVELAND COUNTY BEGINS, IN ORDER TO CONFORM TO GENERAL LAW.

CALENDAR

Action is taken on the following:

H. B. 102, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF DAY-CARE FACILITY.

On motion of Representative Keesee, the House concurs in Senate Amendments Nos. 1 and 2 and the bill is ordered enrolled.

S. B. 73, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF CAJAH MOUNTAIN IN CALDWELL COUNTY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Fulcher, Fussell, Gentry, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Nash, Nesbitt, Owens, Pool, Pulley, Quinn, Rabon, Redding, Roberts, Robinson, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 107.

Voting in the negative: None.

Excused absences: Representatives Foster, Musselwhite, Rhodes, and Seymour — 4.

H. B. 78, A BILL TO BE ENTITLED AN ACT TO ALLOW THE MECKLENBURG COUNTY BOARD OF EDUCATION TO FILL BY APPOINTMENT A VACANCY CREATED WHEN A MEMBER IS ELECTED TO ANOTHER PUBLIC OFFICE, LOCAL, STATE OR FEDERAL, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 181, A BILL TO BE ENTITLED AN ACT TO EXPAND THE EXTRATERRITORIAL JURISDICTION OF THE NORWOOD TOWN POLICE TO TWO MILES.

On motion of Representative Slaughter, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 283, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF ALBEMARLE TO CONVEY AT PRIVATE SALE A TRACT OF LAND TO COLLINS AND AIKMAN CORPORATION ON A BASIS OTHER THAN THE HIGHEST MONETARY BID, BECAUSE SUCH DISPOSITION IS FOUND TO SERVE THE BEST INTEREST OF THE MUNICIPALITY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 308, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE RELATING TO THE SALE OF REAL PROPERTY.

On motion of Representative Brennan, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 309, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR VIOLATING ORDINANCES OF THE CITY OF CHARLOTTE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 311, A BILL TO BE ENTITLED AN ACT TO DEFINE THE CORPORATE LIMITS OF THE TOWN OF TROUTMAN IN IREDELL COUNTY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Nash, Nesbitt, Owens, Pool, Pulley, Quinn, Rabon, Redding, Roberts, Slaughter, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 108.

Voting in the negative: None.

Excused absences: Representatives Foster, Musselwhite, Rhodes, and Seymour — 4.

H. B. 141, A BILL TO BE ENTITLED AN ACT TO INCLUDE EDUCATIONAL, PROFESSIONAL AND CAREER PLANS AS A CONSIDERATION IN ALIMONY AWARDS.

The bill, as amended, passes its third reading, by electronic vote (64-50), and is ordered engrossed and sent to the Senate.

H. B. 211, A BILL TO BE ENTITLED AN ACT TO AMEND THE NURSING HOME ADMINISTRATOR ACT.

The bill, as amended, passes its third reading, by electronic vote (101-0), and is ordered engrossed and sent to the Senate.

House Committee Substitute for S. B. 18, A BILL TO BE ENTITLED AN ACT TO AMEND DOMICILIARY HOME COMMUNITY ADVISORY COMMITTEES.

On motion of Representative C. Woodard, consideration of the bill is postponed until March 9, 1983.

Committee Substitute for H. B. 142, A BILL TO BE ENTITLED AN ACT TO DEFINE RESUMPTION OF MARITAL RELATIONS BY SEPARATED SPOUSES, passes its second reading by electronic vote (94-18).

Representative Hackney objects to the third reading. The bill remains on the Calendar.

H. B. 209, A BILL TO BE ENTITLED AN ACT TO EXEMPT TOW DOLLIES FROM CERTIFICATE OF TITLE AND REGISTRATION REQUIREMENTS FOR MOTOR VEHICLES.

On motion of Representative Stamey, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

S. B. 68, A BILL TO BE ENTITLED AN ACT TO AMEND AND CLARIFY THE PENALTIES FOR DRIVING ON A PERMANENTLY REVOKED LICENSE, passes its second reading by electronic vote (96-9).

Representative Ballance objects to the third reading. The bill remains on the Calendar.

H. B. 297, A BILL TO BE ENTITLED AN ACT TO RAISE THE SIZE OF ESTATES THAT MAY BE ADMINISTERED UNDER THE SMALL ESTATES PROVISIONS OF ARTICLE 25 OF CHAPTER 28A AND UNDER G.S. 7A-111 AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its second reading, by electronic vote (101-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 302, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE REQUIREMENT FOR A SEPARATE RECORD OF RENUNCIATION AND TO CLARIFY LANGUAGE REGARDING PARTIAL RENUNCIATIONS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

On motion of Representative Hunt, seconded by Representative McDowell, the House adjourns to reconvene March 4, 1983 at 11:00 a.m.

THIRTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Friday, March 4, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Helms.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of March 3 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Foster, Rhodes, and Seymour for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Helms:

H. B. 360, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE AND CLARIFY THE LAWS REGARDING EXPUNCTION OF CRIMINAL RECORDS, TO REMOVE AGE LIMITATIONS, TO EXTEND THE PRIVILEGE OF EXPUNCTION TO DEFENDANTS WHO SUCCESSFULLY COMPLETE DEFERRED PROSECUTION, AND TO CLARIFY THE EFFECT OF AN EXPUNCTION ORDER, is referred to the Committee on Courts and Administration of Justice.

By Representative Miller:

H. B. 361, A BILL TO BE ENTITLED AN ACT TO ENSURE THE INHERITANCE RIGHTS OF AN ADOPTED CHILD, is referred to the Committee on Judiciary No. 1.

By Representative Lambeth:

H. B. 362, A BILL TO BE ENTITLED AN ACT TO AMEND G.S. 75A-5 WITH RESPECT TO TRANSFER OF MOTORBOAT REGISTRATION, is referred to the Committee on Wildlife Resources.

By Representative Lambeth:

H. B. 363, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE WILDLIFE RESOURCES COMMISSION TO CONDUCT MANAGED HUNTS ON GAME LANDS AND TO CHARGE FEES FOR PROCESSING APPLICATIONS AND USE OF RELATED FACILITIES, is referred to the Committee on Wildlife Resources.

By Representatives Lambeth, Hightower, C. Hughes, Mauney, Poovey, Tyndall, and Womble:

H. B. 364, A BILL TO BE ENTITLED AN ACT TO REGULATE THE IMPORTATION, TRANSPORTATION AND POSSESSION OF DANGEROUS ANIMALS, is referred to the Committee on Wildlife Resources.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S. B. 148, A BILL TO BE ENTITLED AN ACT TO ALLOW A SANITARY DISTRICT TO ENGAGE IN LITIGATION OR JOIN WITH OTHERS IN LITIGATION OPPOSING THE WITHDRAWAL OF WATER FROM A RIVER OR OTHER WATER SUPPLY, is read the first time and is referred to the Committee on Judiciary No. 1.

Senate Committee Substitute for H. B. 109, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE WILDLIFE PRESERVE AND BIRD SANCTUARY IN ARROWHEAD BEACH SUBDIVISION, CHOWAN COUNTY, is returned for concurrence in Senate Committee Substitute and is referred to the Committee on Wildlife Resources.

H. B. 154, A BILL TO BE ENTITLED AN ACT TO PROHIBIT ASSAULTS AND THREATS AGAINST JUDICIAL OFFICIALS, is returned for concurrence in Senate amendment and is palced on the Calendar for March 7, 1983.

S. B. 74, A BILL TO BE ENTITLED AN ACT TO AMEND THE REQUIREMENTS FOR RECEIPT OF SERVICE AND DISABILITY RETIREMENT BENEFITS FROM THE DURHAM FIREMEN'S SUPPLEMENTAL RETIREMENT SYSTEM, is read the first time and is referred to the Committee on Pensions and Retirement.

S. B. 122, A BILL TO BE ENTITLED AN ACT RELATING TO HUNTING FOXES IN ONSLOW COUNTY, is read the first time and is referred to the Committee on Wildlife Resources.

Committee Substitute for S. B. 144, A BILL TO BE ENTITLED AN ACT TO PROMOTE FAIR COMMERCIAL PRACTICES IN THE WHOLESALE WINE INDUSTRY, is read the first time and is referred to the Committee on Small Business.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 102, AN ACT TO CLARIFY THE DEFINITION OF DAY-CARE FACILITY.

H. B. 163, AN ACT TO AMEND THE QUALIFICATIONS FOR LICENSURE IN ARCHITECTURE.

H.B. 25, AN ACT TO EXPAND THE MEMBERSHIP OF THE ADVISORY BUDGET COMMISSION.

H. B. 24, AN ACT TO PROVIDE ALTERNATIVE BEGINNING DATES FOR PARCEL IDENTIFIER INDEXES.

CALENDAR

Action is taken on the following:

H. R. 352, A HOUSE RESOLUTION URGING THE UNITED STATES GOVERNMENT TO SEEK A BILATERAL, VERIFIABLE FREEZE AND REDUCTION IN NUCLEAR WEAPONS.

On motion of Representative Huskins, Committee Amendment No. 1 is adopted.

Representative Hightower moves, seconded by Representative Watkins, that the resolution do lie upon the table. This motion fails by electronic vote (47-64).

Representative Helms calls the previous question on the adoption of the resolution and the call is sustained by electronic vote (104-8).

The resolution, as amended, is adopted by electronic vote (65-48).

H. B. 311, A BILL TO BE ENTITLED AN ACT TO DEFINE THE CORPORATE LIMITS OF THE TOWN OF TROUTMAN IN IREDELL COUNTY, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Anderson, Auman, Ballance, Barnes, Beall, Beam, Berry, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jeralds, Jordan, Keesee, Lacey, Lambeth, Lancaster, Ligon, Lutz, McAlister, McDowell, Matthews, Mauney, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Poovey, Quinn, Redding, Robinson, Slaughter, Spoon, Tennille, Thomas, Tyndall, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 89.

Voting in the naegative: None.

Excused absences: Representatives Allran, Foster, Rhodes, and Seymour — 4.

S. B. 73, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF CAJAH MOUNTAIN IN CALDWELL COUNTY, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Auman, Ballance, Barnes, Beall, Beam, Berry, Bowen, Brannan, Brawley, Brennan, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Edwards, Bruce Ethridge, Fletcher, Fulcher, Gentry, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Helms, Hightower, Holmes, Hudson, C. Hughes, J. Hughes, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Ligon, Lilley, Lutz, McAlister, McDowell, Matthews, Mauney, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Pool, Poovey, Quinn, Rabon, Redding, Robinson, Slaughter, Spoon, Tennille, Thomas, Tyndall, Warren, Womble, B. Woodard, C. Woodard and Wright — 81.

Voting in the negative: None.

Excused absences: Representatives Allran, Foster, Gillam, Rhodes, and Seymour — 5.

H. B. 99, A BILL TO BE ENTITLED AN ACT BRINGING FORSYTH COUNTY UNDER GENERAL STATE LAW FOR PISTOL PERMIT FEES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affiramative are: Representatives Anderson, Auman, Ballance, Barker, Barnes, Beall, Beam, Berry, Bowen, Brannan, Brawley, Brennan, Brown, Bumgardner, Burnley, Chapin, Childress, Church, Coble, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bruce Ethridge, Evans, Fletcher, Fulcher, Gentry, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Pool, Poovey, Quinn, Rabon, Redding, Slaughter, Spaulding, Tennille, Thomas, Tyndall, Warren, Womble, B. Woodard, C. Woodard, and Wright — 87.

Voting in the negative: Representative Brubaker.

Excused absences: Representatives Allran, Foster, Gillam, Rhodes, and Seymour — 5.

H. B. 55, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ORANGE COUNTY BOARD OF ELECTIONS TO ESTABLISH A SECOND OFFICE TO HANDLE ONE-STOP ABSENTEE VOTING, passes its second reading, by electronic vote (87-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 296, A BILL TO BE ENTITLED AN ACT RELATING TO HUNTING FOXES IN ONSLOW COUNTY.

On motion of Representative Tyndall, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Committee Substitute for H. B. 123, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 20-309(e) RELATIVE TO A LAPSE IN INSURANCE COVERAGE ON MOTOR VEHICLES.

On motion of Representative Slaughter, consideration of the bill is postponed until March 8, 1983.

H. B. 213, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 7 OF CHAPTER 90 OF THE GENERAL STATUTES RELATING TO THE BOARD OF OSTEOPATHIC EXAMINATION AND REGISTRATION AND TO PERMIT HIGHER REGISTRATION FEES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Auman, Ballance, Barker, Barnes, Beall, Beam, Berry, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Cochrane, Colton, J. W. Crawford, N. J. Crawford, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Fletcher, Fulcher, Fussell, Gentry, Gist, Greenwood, Grimsley, Hackney, Hauser, Hayden, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Quinn, Rabon, Redding, Robinson, Slaughter, Spaulding, Tennille, Thomas, Tyndall, Varner, Warren, Womble, B. Woodard, C. Woodard, and Wright — 85.

Voting in the negative; None.

Excused absences: Representatives Allran, Foster, Gillam, Lilley, Rhodes, and Seymour — 6.

H. B. 256, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 89D, CONCERNING LANDSCAPE CONTRACTORS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Auman, Ballance, Barker, Barnes, Beall, Beam, Berry, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Childress, Church, Cochrane, Colton, J. W. Crawford, N. J. Crawford, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Fenner, Fletcher, Fulcher, Fussell, Gentry, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Jarrell, Jeralds, Jones, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Quinn, Rabon, Redding, Robinson, Slaughter, Spaulding, Tennille, Thomas, Tyndall, Varner, Warren, Watkins, Womble, B. Woodard, C. Woodard, and Wright — 87

Voting in the negative: Representative Jordan.

Excused absences: Representatives Allran, Foster, Gillam, Lilley, Rhodes, and Seymour — 6.

H. B. 258, A BILL TO BE ENTITLED AN ACT TO AMEND THE PRACTICING PSYCHOLOGISTS LICENSING ARTICLE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Auman, Ballance, Barker, Barnes, Beall, Beam, Berry, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker,

Bumgardner, Burnley, Chapin, Childress, Church, Cochrane, Colton, J. W. Crawford, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Fenner, Fletcher, Fulcher, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Jarrell, Jeralds, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Quinn, Rabon, Redding, Robinson, Slaughter, Spaulding, Tennille, Thomas, Tyndall, Varner, Watkins, Womble, B. Woodard, C. Woodard, and Wright — 84.

Voting in the negative: None.

Excused absences: Representatives Allran, Foster, Gillam, Lilley, Rhodes, and Seymour — 6.

S. B. 54, A BILL TO BE ENTITLED AN ACT TO AMEND THE AUTHORITY TO SET FEES FOR THE BOARD OF MEDICAL EXAMINERS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Anderson, Auman, Ballance, Barker, Barnes, Beall, Beam, Berry, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Cochrane, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Fenner, Fletcher. Fulcher, Gentry, Greenwood, Hackney, Hasty, Hauser, Hayden, Holmes, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Quinn, Rabon, Redding, Robinson, Slaughter, Spaulding, Tennille, Thomas, Tyndall, Varner, Warren, Watkins, Womble, B. Woodard, C. Woodard, and Wright — 88.

Voting in the negative: None.

Excused absences: Representatives Allran, Foster, Gillam, Lilley, Rhodes, and Seymour — 6.

Committee Substitute for H. B. 142, A BILL TO BE ENTITLED AN ACT TO DEFINE RESUMPTION OF MARITAL RELATIONS BY SEPARATED SPOUSES.

On motion of Representative Hackney, consideration of the bill is postponed until March 8, 1983.

S. B. 68, A BILL TO BE ENTITLED AN ACT TO AMEND AND CLARIFY THE PENALTIES FOR DRIVING ON A PERMANENTLY REVOKED LICENSE, passes its third reading, by electronic vote (86-0), and is ordered enrolled.

Committee Substitute for H. B. 248, A BILL TO BE ENTITLED AN ACT TO AMEND THE REGULATORY AUTHORITY OF THE REAL ESTATE LICENSING BOARD AND TO CHANGE THE NAME OF THE BOARD TO THE REAL ESTATE COMMISSION, passes its second reading by electronic vote (88-1).

Representative Musselwhite objects to the third reading.

On motion of Representative Musselwhite, third reading of the bill is postponed until March 8, 1983.

S. B. 29, A BILL TO BE ENTITLED AN ACT PERMITTING A COURT TO ORDER CHILD SUPPORT PAYMENTS TO CONTINUE FOR AS LONG AS THE CHILD IS IN HIGH SCHOOL.

On motion of Representative Miller, consideration of the bill is postponed until March 9, 1983.

H. B. 306, A BILL TO BE ENTITLED AN ACT TO ALLOW A SANITARY DISTRICT TO ENGAGE IN LITIGATION OR JOIN WITH OTHERS IN LITIGATION OPPOSING THE WITHDRAWAL OF WATER FROM THE ROANOKE RIVER BASIN.

On motion of Representative J. W. Crawford, consideration of the bill is postponed until March 9, 1983.

H. B. 274, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA HOUSING FINANCE AGENCY TO MAKE LOANS TO MORTGAGE LENDERS.

On motion of Representative Brannan, consideration of the bill is postponed until March 7, 1983.

H. B. 275, A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENT FOR A CERTIFICATE OF CONVENIENCE AND NECESSITY FROM THE UTILITIES COMMISSION BEFORE A HOUSING AUTHORITY CAN EXERCISE THE POWER OF EMINENT DOMAIN.

On motion of Representative Brannan, consideration of the bill is postponed until March 7, 1983.

H. J. R. 279, A JOINT RESOLUTION MEMORIALIZING CONGRESS IN OPPOSITION TO FEDERAL TERMINATION OF LOW-INCOME HOUSING PROGRAMS.

On motion of Representative Brannan, consideration of the resolution is postponed until March 7, 1983.

H. J. R. 280, A JOINT RESOLUTION MEMORIALIZING CONGRESS TO PASS LEGISLATION AUTHORIZING TAX DEDUCTIONS FOR MONEY SAVED FOR PURCHASE OF A HOME.

On motion of Representative Brannan, consideration of the resolution is postponed until March 7, 1983.

Representative Brawley rises to notify the House of his intention to make a motion on March 9, 1983, under Rule 39, to recall H. J. R. 173, A JOINT RESOLUTION MEMORIALIZING CONGRESS TO REPEAL THE RECENTLY ENACTED WITHHOLDING TAX ON INTEREST AND DIVIDENDS, from the Committee on Rules and Operation of the House. Representative Brawley also delivers a notice of his intention to Representative Hunt, Chairman of the Committee on Rules and Operation of the House.

On motion of Representative Hunt, seconded by Representative Beall, the House adjourns to reconvene Monday, March 7, 1983 at 8:00 p.m.

THIRTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Monday, March 7, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend Robert F. Smith, Hendersonville, North Carolina.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of March 4 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Allran, Huskins, Ligon, Rabon, and Seymour for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Anderson, Barker, and Lilley:

H. B. 365, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF NEW BERN TO ENGAGE IN CERTAIN COMMUNITY DEVELOPMENT ACTIVITIES, is referred to the Committee on Local Government No. 1.

By Representatives Anderson and Barker:

H. B. 366, A BILL TO BE ENTITLED AN ACT TO PROVIDE A SUPPLEMENTAL RETIREMENT FUND FOR FIREMEN IN THE CITY OF NEW BERN AND TO MODIFY THE APPLICATION OF G.S. 118-5, G.S. 118-6, AND G.S. 118-7 TO THE CITY OF NEW BERN, is referred to the Committee on Pensions and Retirement.

By Representatives Jordan, Allran, and Owens:

H. B. 367, A BILL TO BE ENTITLED AN ACT TO SET A DEADLINE ON THE INTRODUCTION OF PUBLIC BILLS, is referred to the Committee on Rules and Operation of the House.

By Representatives Clark, Anderson, Bruce Ethridge, Hackney, Lee, McDowell, Miller, Payne, Roberts, and Tennille:

H. B. 368, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 97 OF THE GENERAL STATUTES TO DEFINE INJURY BY ACCIDENT FOR WORKERS' COMPENSATION, is referred to the Committee on Manufacturers and Labor.

By Representative Allran:

H. B. 369, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PERMITS FOR PYROTECHNIC DISPLAYS WITHIN INCORPORATED MUNICIPALITIES IN CATAWBA COUNTY SHALL BE GRANTED BY THE CITY COUNCIL INSTEAD OF THE COUNTY COMMISSIONERS, AND TO PROVIDE THAT THE COUNTY COMMISSIONERS MAY DELEGATE THEIR PERMIT-GRANTING POWERS RELATING TO PYROTECHNIC DISPLAYS AND SALES OF EXPLOSIVES, is referred to the Committee on Local Government No. 1.

By Representatives Holt, Barnes, Black, Blue, Burnley, Childress, Cochrane, Colton, Cook, Gist, Grimsley, Hackney, Hauser, Jarrell, Jordan, Keesee, Kennedy, Lambeth, McAlister, McDowell, Miller, Musselwhite, Payne, Rabon, Robinson, Stamey, Tennille, and Womble:

H. B. 370, A BILL TO BE ENTITLED AN ACT TO PROVIDE A LICENSING PROGRAM FOR HOSPICES, is referred to the Committee on State Government.

By Representatives Easterling, Berry, Black, Brennan, Economos, Helms, and Spoon:

H. B. 371, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE MECKLENBURG COUNTY AND MECKLENBURG COUNTY AREA MENTAL HEALTH, MENTAL RETARDATION, AND SUBSTANCE ABUSE AUTHORITY TO CONTRIBUTE ALL OR PART OF AN EMPLOYEE'S CONTRIBUTIONS TO THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement.

By Representatives Easterling, Berry, Black, Brennan, Economos, Helms, and Spoon:

H. B. 372, A BILL TO BE ENTITLED AN ACT TO EXEMPT MECKLENBURG COUNTY EMPLOYEES AND MECKLENBURG COUNTY AREA MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE AUTHORITY EMPLOYEES FROM THE PROVISIONS OF CHAPTER 126 OF THE GENERAL STATUTES, is referred to the Committee on State Personnel.

By Representatives Easterling, Berry, Black, Brennan, Economos, Helms, and Spoon:

H. B. 373, A BILL TO BE ENTITLED AN ACT AUTHORIZING COUNTIES WITH A SPECIFIED POPULATION TO DESIGNATE HEALTH CARE PROFESSIONALS RESPONSIBLE FOR PATIENT CARE IN PRE-HOSPITAL MEDICAL EMERGENCIES, is referred to the Committee on Health.

By Representatives Easterling, Berry, Black, Brennan, Economos, Helms, C. Hughes, and Spoon:

H. B. 374, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR VIOLATING THE PUBLIC HEALTH LAW, is referred to the Committee on Health.

By Representatives Easterling, Berry, Black, Brennan, Economos, Helms, C. Hughes, and Spoon:

H. B. 375, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ALL VESSELS IN MECKLENBURG COUNTY CARRY A PERSONAL FLOTATION DEVICE, is referred to the Committee on Wildlife Resources.

By Representatives Stamey, Adams, Blue, and Cook:

H. B. 376, A BILL TO BE ENTITLED AN ACT RELATING TO THE DISPOSITION OF ANIMALS BY ANIMAL SHELTERS AND POUNDS, is referred to the Committee on Judiciary No. 2.

By Representatives Watkins and Adams (co-sponsors); Barnes and Hackney:

H. B. 377, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A SELF-LIQUIDATING PROJECT AT NORTH CAROLINA MEMORIAL HOSPITAL FOR CRITICAL CARE CENTER FACILITIES, is referred to the Committee on Appropriations.

By Representatives James and Evans:

H. B. 378, A BILL TO BE ENTITLED AN ACT VALIDATING CERTAIN ASSESSMENTS OF THE CITY OF ELIZABETH CITY, is referred to the Committee on Local Government No. 1.

By Representatives Gillam and Creecy:

H. B. 379, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE SHERIFF ISSUE BERTIE COUNTY WEAPON PERMITS, is referred to the Committee on Local Government No. 2.

By Representative Gillam:

H. B. 380, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE RESTORATION OF THE KING-BAZEMORE HOUSE LOCATED IN WINDSOR, BERTIE COUNTY, is referred to the Committee on Cultural Resources.

By Representative Gillam:

H. B. 381, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE MARTIN COUNTY PLAYERS, is referred to the Committee on Cultural Resources.

By Representatives Creecy and Gillam:

H. B. 382, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A GRANT-IN-AID FOR ARCHEOLOGICAL INVESTIGATIONS AT SITE 31NP93, ALSO KNOWN AS THE TOWN OF PRINCETON, NORTHAMPTON COUNTY, is referred to the Committee on Cultural Resources.

By Representatives Gillam and James:

H. B. 383, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO UPGRADE GAS AND OIL INSPECTORS AND WEIGHTS AND MEASURES INSPECTORS IN THE DEPARTMENT OF AGRICULTURE, is referred to the Committee on State Personnel.

By Representative Gillam:

H. B. 384, A BILL TO BE ENTITLED AN ACT TO MAKE PERMANENT THE 120-DAY SPEEDY TRIAL LAW REQUIREMENT AND TO MAKE OTHER CHANGES, is referred to the Committee on Courts and Administration of Justice.

By Representative Lambeth:

H. B. 385, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PROCUREMENT OF THE PROPER LICENSE AS AN APPROPRIATE CONDITION OF PROBATION OF DEFENDANTS CONVICTED OF HUNTING, TRAPPING OR FISHING WITHOUT A PROPER LICENSE, is referred to the Committee on Judiciary No. 3.

By Representatives McAlister, Childress, Colton, N. J. Crawford, Creecy, Enloe, Gist, Greenwood, Holt, Hunter, Lambeth, McDowell, Nesbitt, Tennille, Varner, Womble, and B. Woodard:

H. B. 386, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS IN THE ELECTIONS STATUTES, is referred to the Committee on Election Laws.

By Representatives Colton, Berry, N. J. Crawford, Creecy, Edwards, Gist, Greenwood, Grimsley, Hauser, Jeralds, Kennedy, Locks, and Nesbitt:

H. B. 387, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE YMI CULTURAL CENTER IN ASHEVILLE, NORTH CAROLINA, is referred to the Committee on Cultural Resources.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S. B. 56, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PROPERTY OWNER PARTICIPATION IN THE COSTS OF ROAD MAINTENANCE, IMPROVEMENTS, ADDITIONS AND ACQUISITION OF RIGHT-OF-WAY, is read the first time and is referred to the Committee on Transportation.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 128, AN ACT TO AMEND ARTICLE 3 OF CHAPTER 20 OF THE GENERAL STATUTES RELATING TO AUTHORITY TO PROVIDE SPECIAL SERVICES.

S. B. 68, AN ACT TO AMEND AND CLARIFY THE PENALTIES FOR DRIVING ON A PERMANENTLY REVOKED LICENSE.

S. B. 73, AN ACT TO INCORPORATE THE TOWN OF CAJAH MOUNTAIN IN CALDWELL COUNTY.

CALENDAR

Action is taken on the following:

H. B. 154, A BILL TO BE ENTITLED AN ACT TO PROHIBIT ASSAULTS AND THREATS AGAINST JUDICIAL OFFICIALS.

On motion of Representative Spaulding, the House concurs in Senate Amendment No. 2.

On motion of Representative Spaulding, the House does not concur in Senate Amendment No. 1 and a conference committee is requested.

The speaker appoints as conferees on the part of the House, Representative Blue, Chairman; Representatives Spaulding and Hackney and the Senate is so notified by Special Message.

H. B. 99, A BILL TO BE ENTITLED AN ACT BRINGING FORSYTH COUNTY UNDER GENERAL STATE LAW FOR PISTOL PERMIT FEES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Coble, Cochrane, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Quinn, Redding, Rhodes, Roberts, Robinson, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 107.

Voting in the negative; None.

Excused absences: Representatives Allran, Huskins, Ligon, Rabon, and Seymour — 5.

H. B. 213, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 7 OF CHAPTER 90 OF THE GENERAL STATUTES RELATING TO THE BOARD OF OSTEOPATHIC EXAMINATION AND REGISTRATION AND TO PERMIT HIGHER REGISTRATION FEES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, Matthews, Mauney, Mavretic, Murphy, Musselwhite, Nash, Nesbitt, Pool, Poovey, Pulley, Quinn, Redding, Rhodes, Roberts, Robinson, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 104.

Voting in the negative: None.

Excused absences: Representatives Allran, Huskins, Ligon, Rabon, and Seymour — 5.

H. B. 256, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 89D, CONCERNING LANDSCAPE CONTRACTORS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Brannan, Brennan, Bumgardner, Chapin, Childress, Church, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, Hunt, Hunter, James, Jarrell, Jeralds, Jones, Kennedy, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Pool, Poovey, Pulley, Quinn, Rhodes, Roberts, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, and Wright — 96.

Voting in the negative: Representatives Bowen, Brawley, Brown, Brubaker, Burnley, Coble, Cochrane, J. Hughes, Jordan, Keesee, Lacey, Redding, Robinson, and C. Woodard — 14.

Excused absences: Representatives Allran, Huskins, Ligon, Rabon, and Seymour — 5.

H. B. 258, A BILL TO BE ENTITLED AN ACT TO AMEND THE PRACTICING PSYCHOLOGISTS LICENSING ARTICLE.

Representative Pulley offers Amendment No. 1 which is adopted by electronic vote (108-0).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Hudson, C. Hughes, Hunt, Hunter, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Pool, Poovey, Pulley, Quinn, Redding, Rhodes, Roberts, Robinson, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 107.

Voting in the negative: None.

Excused absences: Representatives Allran, Huskins, Ligon, Rabon, and Seymour — 5.

S. B. 54, A BILL TO BE ENTITLED AN ACT TO AMEND THE AUTHORITY TO SET FEES FOR THE BOARD OF MEDICAL EXAMINERS, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Coble, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Pool, Poovey, Pulley, Quinn, Redding, Rhodes, Roberts, Robinson, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 108.

Voting in the negative: Representative Brawley.

Excused absences: Representatives Allran, Huskins, Ligon, Rabon, and Seymour — 5.

H. B. 274, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA HOUSING FINANCE AGENCY TO MAKE LOANS TO MORTGAGE LENDERS.

On motion of Representative Cook, Committee Amendment No. 1 is adopted.

On motion of Representative Jordan, the bill is ordered engrossed and re-referred to the Committee on Banks and Thrift Institutions by electronic vote (59-52).

H. B. 275, A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENT FOR A CERTIFICATE OF CONVENIENCE AND NECESSITY FROM THE UTILITIES COMMISSION BEFORE A HOUSING AUTHORITY CAN EXERCISE THE POWER OF EMINENT DOMAIN, passes its second reading, by electronic vote (98-11), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. J. R. 279, A JOINT RESOLUTION MEMORIALIZING CONGRESS IN OPPOSITION TO FEDERAL TERMINATION OF LOW-INCOME HOUSING PROGRAMS, passes its second reading, by electronic vote (82-21), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate.

H. J. R. 280, A JOINT RESOLUTION MEMORIALIZING CONGRESS TO PASS LEGISLATION AUTHORIZING TAX DEDUCTIONS FOR MONEY SAVED FOR PURCHASE OF A HOME.

On motion of Representative Cook, Committee Amendment No. 1 is adopted.

The resolution, as amended, passes its second reading, by electronic vote (99-9), and there being no objection is read a third time.

The resolution, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Committee Substitute for H. B. 248, A BILL TO BE ENTITLED AN ACT TO AMEND THE REGULATORY AUTHORITY OF THE REAL ESTATE LICENSING BOARD AND TO CHANGE THE NAME OF THE BOARD TO THE REAL ESTATE COMMISSION.

On motion of Representative Musselwhite, the bill is removed from the Calendar of March 8, 1983 and is placed on the Calendar for immediate consideration.

The bill passes its third reading, by electronic vote (107-0), and is ordered sent to the Senate.

On motion of Representative Helms, H. B. 360, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE AND CLARIFY THE LAWS REGARDING EXPUNCTION OF CRIMINAL RECORDS, TO REMOVE AGE LIMITATIONS, TO EXTEND THE PRIVILEGE OF EXPUNCTION TO DEFENDANTS WHO SUCCESSFULLY COMPLETE DEFERRED PROSECUTION, AND TO CLARIFY THE EFFECT OF AN EXPUNCTION ORDER, is withdrawn from the Committee on Courts and Administration of Justice and is re-referred to the Committee on Judiciary No. 3.

On motion of Representative Hunt, seconded by Representative Quinn, the House adjourns to reconvene March 8, 1983 at 1:30 p.m.

FORTIETH DAY

HOUSE OF REPRESENTATIVES
Tuesday, March 8, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Helms.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of March 7 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Bumgardner, Huskins, Ligon, Redding and Seymour for today.

Representative Barbee moves that the rules be suspended to allow a delegation of Rwandan, Africa, legislators to approach the well of the House. They are introduced and their leader, through an interpreter, delivers a brief statement regarding their visit to this country.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative James for the Committee on Agriculture:

H. B. 314, A BILL TO BE ENTITLED AN ACT TO PERMIT PASQUOTANK AND CHOWAN COUNTIES TO SELL IMPOUNDED DOGS AND CATS TO LICENSED ANIMAL DEALERS, with a favorable report.

By Representative Fenner for the Committee on Commissions and Schools for the Blind and Deaf:

H. J. R. 246, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE FEASIBILITY OF TRANSFERRING THE STATE SCHOOLS FOR THE DEAF AND THE GOVERNOR MOREHEAD SCHOOL FOR THE BLIND TO THE DEPARTMENT OF PUBLIC INSTRUCTION, with a favorable report and recommendation that the bill be re-referred to the Committee on Rules and Operation of the House.

By Representative Wright for the Committee on Judiciary No. 2:

H. B. 300, A BILL TO BE ENTITLED AN ACT TO REWRITE AND BROADEN THE CARTWAY STATUTE AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with an unfavorable report.

By Representative B. Woodard for the Committee on Health:

H. B. 31, A BILL TO BE ENTITLED AN ACT TO REPEAL SECTION 2 OF CHAPTER 1399 OF THE 1981 SESSION LAWS, with a favorable report.

By Representative Pulley for the Committee on Judiciary No. 4:

H. B. 82, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN VOLUNTEER FIRE DEPARTMENTS FROM THE OCCUPATIONAL SAFETY AND HEALTH ACT OF NORTH CAROLINA, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for March 10, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 264, A BILL TO BE ENTITLED AN ACT TO REQUIRE FORFEITURE OF CONVEYANCES USED IN THE COMMISSION OF A ROBBERY, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Chapin:

H. B. 388, A BILL TO BE ENTITLED AND ACT TO APPROPRIATE FUNDS TO BEAUFORT COUNTY COMMUNITY COLLEGE TO DEVELOP AND INITIATE A COMPUTER MAINTENANCE TECHNICIAN PROGRAM, is referred to the Committee on Appropriations.

By Representatives C. Hughes, Burnley, and Mavretic:

H. B. 389, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION TO EXPAND THE PUNISHMENTS FOR CONVICTION OF A CRIME, is referred to the Committee on Constitutional Amendments.

By Representatives James and Evans:

H. B. 390, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE WILDLIFE PRESERVE AND BIRD SANCTUARY IN CAPE COLONY SUBDIVISION, CHOWAN COUNTY, is referred to the Committee on Wildlife Resources.

By Representative C. Hughes:

H. B. 391, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE HENDERSON COUNTY BOARD OF COMMISSIONERS TO LEVY ADDITIONAL ONE PERCENT LOCAL SALES AND USE TAXES TO PROVIDE FUNDS FOR JAIL AND COURT FACILITIES IF THE LEVY IS APPROVED BY THE VOTERS OF HENDERSON COUNTY, is referred to the Committee on Finance.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. B. 54, AN ACT TO AMEND THE AUTHORITY TO SET FEES FOR THE BOARD OF MEDICAL EXAMINERS.

CALENDAR

Action is taken on the following:

Committee Substitute for H. B. 123, A BILL TO BE ENTITLED AN ACT TO AMEND G.S. 20-309(e) RELATIVE TO A LAPSE IN INSURANCE COVERAGE ON MOTOR VEHICLES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Rhodes, Roberts, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 112.

Voting in the negative: None.

Excused absences: Representatives Bumgardner, Huskins, Ligon, Redding, and Seymour — 5.

Committee Substitute for H. B. 142, A BILL TO BE ENTITLED AN ACT TO DEFINE RESUMPTION OF MARITAL RELATIONS BY SEPARATED SPOUSES.

Representative Hackney offers Amendment No. 1 which is adopted by electronic vote (98-13).

The bill, as amended, passes its third reading, by electronic vote (100-9), and is ordered engrossed and sent to the Senate.

On motion of Representative Hunt, seconded by Representative Nash, the House adjourns to reconvene March 9, 1983 at 1:30 p.m.

FORTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Wednesday, March 9, 1983

The house meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Mr. Ed Walker, Greenville, North Carolina.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of March 8 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Seymour for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Lilley for the Committee on Local Government No. 1:

H. B. 304, A BILL TO BE ENTITLED AN ACT TO REQUIRE CONSENT OF THE UNION COUNTY BOARD OF COMMISSIONERS BEFORE LAND IN THAT COUNTY MAY BE CONDEMNED OR ACQUIRED BY A UNIT OF LOCAL GOVERNMENT OUTSIDE THE COUNTY, with a favorable report.

H. B. 316, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF HILLSBOROUGH TO BE DIVIDED INTO MORE THAN ONE PRECINCT AND TO VALIDATE ELECTIONS AND ACTIONS OF THAT TOWN, with a favorable report.

H. B. 317, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN PROPERTY TO THE TOWN OF AYDEN, with a favorable report.

H. B. 337, A BILL TO BE ENTITLED AN ACT TO EXPAND THE MEMBERSHIP OF THE INDUSTRIAL-AGRICULTURAL DEVELOPMENT COMMISSION OF LENOIR COUNTY, with a favorable report, as amended.

H. B. 344, A BILL TO BE ENTITLED AN ACT TO CHANGE THE FILING DEADLINE FOR ELECTION TO THE RUTHERFORD COUNTY BOARD OF EDUCATION, with a favorable report.

By Representative McDowell for the Committee on Corrections:

H. B. 335, A BILL TO BE ENTITLED AN ACT TO ESTABLISH MINIMUM IN-SERVICE TRAINING STANDARDS, with a favorable report, as amended.

By Representative Fussell for the Committee on Highway Safety;

H. B. 199, A BILL TO BE ENTITLED AN ACT TO PERMIT THE ODOMETER DISCLOSURE TO BE MADE ON THE CERTIFICATE OF TITLE, with a favorable report.

H. B. 200, A BILL TO BE ENTITLED AN ACT TO REDEFINE THE REQUIRED EXHAUST SYSTEMS ON MOTOR VEHICLES, with a favorable report, as amended.

By Representative Lutz for the Committee on Local Government No. 2:

H. B. 349, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DEFINITION OF SUBDIVISION FOR SUBDIVISION REGULATION IN SCOTLAND COUNTY, with a favorable report.

H. B. 350, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ELECTION OF MEMBERS OF THE ROWAN COUNTY BOARD OF EDUCATION IN THE GENERAL ELECTION, with a favorable report.

H. B. 357, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF NEW HANOVER COUNTY TO CLOSE ROADS OR EASEMENTS THAT HAVE BEEN OFFERED FOR DEDICATION BUT NEVER ACCEPTED BY A PUBLIC BODY, with a favorable report.

H. B. 358, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF NEW HANOVER COUNTY TO NAME ALL ROADS PUBLIC AND PRIVATE AND ASSIGN STREET NUMBERS IN UNINCORPORATED AREAS, with a favorable report.

H. B. 359, A BILL TO BE ENTITLED AN ACT TO ALLOW NEW HANOVER COUNTY TO NAME AND ASSIGN STREET NUMBERS TO PRIVATE ROADS IN UNINCORPORATED AREAS, with a favorable report.

By Representative Lancaster for the Committee on Judiciary No. 3:

H. B. 1, A BILL TO BE ENTITLED AN ACT TO PROVIDE SAFE ROADS BY REQUIRING MANDATORY JAIL TERMS FOR GROSSLY AGGRAVATED DRUNKEN DRIVERS, PROVIDING AN EFFECTIVE DETERRENT TO REDUCE THE INCIDENCE OF IMPAIRED DRIVING, AND CLARIFYING THE STATUTES RELATED TO DRINKING AND DRIVING, with an unfavorable report as to bill, favorable as to committee substitute bill, with recommendation that the substitute bill be re-referred to the Committee on Finance.

On motion of Representative Lancaster, the substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Nesbitt for the Committee on Small Business:

S. B. 144, A BILL TO BE ENTITLED AN ACT TO PROMOTE FAIR COMMERCIAL PRACTICES IN THE WHOLESALE WINE INDUSTRY, with a favorable report, as amended.

By Representative Colton for the Committee on Cultural Resources:

H. B. 133, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS FOR THE NORTHAMPTON COUNTY MUSEUM, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H. B. 134, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR HISTORIC PRESERVATION IN THE TOWN OF MURFREESBORO, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H. B. 234, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES TO ESTABLISH A MUSEUM SERVICE BRANCH OF THE NORTH CAROLINA MUSEUM OF HISTORY IN FAYETTEVILLE, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

By Representative Hightower for the Committee on Insurance:

H. B. 59, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE APPLICABILITY OF THE GROUP HEALTH INSURANCE CONTINUATION AND CONVERSION LAW, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for March 11, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 166, A BILL TO BE ENTITLED AN ACT TO PERMIT RATE DEVIATIONS IN WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY INSURANCE, with a favorable report, as amended.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Beall:

H. B. 392, A BILL TO BE ENTITLED AN ACT TO REQUIRE PERSONS CONVICTED OF D.U.I. TO CARRY THE MAXIMUM AUTOMOBILE INSURANCE FOR THREE YEARS OF DRIVING TIME AFTER THE CONVICTION, is referred to the Committee on Insurance.

By Representatives Fenner, Barbee, Matthews, and Mavretic:

H. B. 393, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE WILSON COUNTY TO LEVY ADDITIONAL ONE PERCENT SALES AND USE TAXES, is referred to the Committee on Finance.

By Representatives Hasty, DeVane, and Locks:

H. B. 394, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF LUMBERTON TO IMPOSE A TAX ON AUTOMOBILES OF NOT MORE THAN FIVE DOLLARS, is referred to the Committee on Finance.

By Representative Lee:

H. B. 395, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF DOBBINS HEIGHTS IN RICHMOND COUNTY, is referred to the Committee on Local Government No. 1.

By Representatives B. Woodard, Auman, Beam, Brannan, DeVane, Enloe, Evans, Hudson, Hunter, James, Jordan, Lilley, Locks, Lutz, McAlister, Mauney, Tyndall, Varner, and C. Woodard:

H. J. R. 396, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE DELIVERY OF EMERGENCY MEDICAL SERVICES IN SMALL TOWNS AND RURAL AREAS IN NORTH CAROLINA, is referred to the Committee on Rules and Operation of the House.

By Representatives Colton, N.J. Crawford, Greenwood, and Nesbitt:

H. B. 397, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE REQUIREMENT THAT THE CITY OF ASHEVILLE PUBLISH ALL ORDINANCES IN FULL, is referred to the Committee on Local Government No. 2.

By Representatives Easterling, Berry, Black, Brennan, Economos, Helms, C. Hughes, and Spoon:

H. B. 398, A BILL TO BE ENTITLED AN ACT TO INCREASE THE INTEREST AND PAYMENT TO BE CHARGED ON DELINQUENT LOCAL TAXES, is referred to the Committee on Finance.

By Representatives Easterling, Berry, Black, Brennan, Economos, Helms, and Spoon:

H. B. 399, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE FEE FOR GUN PERMITS INMECKLENBURG COUNTY SHALL BE GOVERNED BY GENERAL LAW, is referred to the Committee on Local Government No. 2.

By Representatives Easterling, Berry, Black, Brennan, Economos, Helms, and Spoon:

H. B. 400, A BILL TO BE ENTITLED AN ACT TO RESTRICT THE UNITED STATES GOVERNMENT'S ABILITY TO FORCE MECKLENBURG COUNTY TO HOUSE FEDERAL PRISONERS IN THE MECKLENBURG COUNTY JAIL WITHOUT ADEQUATE FINANCIAL COMPENSATION AND SPACE CONSIDERATION, is referred to the Committee on Local Government No. 2.

By Representatives Pulley, Beam, and Holmes:

H. B. 401, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSUMER FINANCE ACT, is referred to the Committee on Banks and Thrift Institutions.

By Representative Economos:

H. B. 402, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF "DANGEROUS TO OTHERS" IN THE INVOLUNTARY COMMITMENT LAWS TO PROVIDE A MORE ACCURATE ASSESSMENT OF DANGEROUSNESS, is referred to the Committee on Mental Health.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Barker for the Committee on Mental Health:

H. B. 118, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE USE OF THE SINGLE PORTAL OF ENTRY AND EXIT PRINCIPLE IN RENDERING MENTAL HEALTH SERVICES, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for March 11, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 288, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITIES AND COUNTIES TO PROVIDE ALTERNATIVES FOR THE TRANSPORTATION OF INVOLUNTARILY COMMITTED RESPONDENTS, with a favorable report, as amended.

S. J. R. 64, A JOINT RESOLUTION ENCOURAGING HEALTH INSURANCE CARRIERS TO OFFER AND PROMOTE COVERAGE FOR MENTAL HEALTH AND RELATED SERVICES, with a favorable report.

S. B. 103, A BILL TO BE ENTITLED AN ACT TO EXTEND THE MENTAL HEALTH STUDY COMMISSION, with a favorable report.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for H. B. 101, A BILL TO BE ENTITLED AN ACT TO RAISE AGE LIMITS FOR DAY-CARE STAFF, is returned for concurrence in Senate amendment and is placed on the Calendar for March 10, 1983.

S. B. 118, A BILL TO BE ENTITLED AN ACT TO ALLOW STATE AND LOCAL GOVERNMENTS AND PUBLIC AUTHORITIES TO DEPOSIT PUBLIC MONEYS AT INTEREST IN ANY SAVINGS AND LOAN ASSOCIATION IN THE STATE, AND TO DESIGNATE AS OFFICIAL DEPOSITORIES ONE OR MORE SAVINGS AND LOAN ASSOCIATIONS IN THIS STATE, is read the first time and is referred to the Committee on State Government.

Representative Brawley rises and states that he withdraws his announced intention on March 4, 1983, to recall H.J.R. 173, A JOINT RESOLUTION MEMORIALIZING CONGRESS TO REPEAL THE RECENTLY ENACTED WITHHOLDING TAX ON INTEREST AND DIVIDENDS, from the Committee on Rules and Operation of the House.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
March 6, 1983

Mr. Speaker:

Pursuant to your message that the House of Representatives fails to concur in the Senate amendments to H. B. 154, A BILL TO BE ENTITLED AN ACT TO PROHIBIT ASSAULTS AND THREATS AGAINST JUDICIAL OFFICIALS, and requests conferees, the President appoints Senators Jim Edwards of Caldwell, Hipps, and Barnes of Wayne, on the part of the Senate to confer with a like committee on the part of the House to the end that the differences between the two Bodies may be resolved.

Respectfully,
S/ SYLVIA M. FINK
Principal Clerk

CALENDAR

Action is taken on the following:

Committee Substitute for H.B. 123, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 20-309(e) RELATIVE TO A LAPSE IN INSURANCE COVERAGE ON MOTOR VEHICLES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holmes, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Womble, B. Woodard, C. Woodard, and Wright — 110.

Voting in the negative: None.

Excused absences: Representative Seymour.

H. B. 306, A BILL TO BE ENTITLED AN ACT TO ALLOW A SANITARY DISTRICT TO ENGAGE IN LITIGATION OR JOIN WITH OTHERS IN LITIGATION OPPOSING THE WITHDRAWAL OF WATER FROM THE ROANOKE RIVER BASIN.

On motion of Representative Miller, the bill is temporarily displaced.

On motion of Representative Miller, the rules are suspended and S. B. 148, A BILL TO BE ENTITLED AN ACT TO ALLOW A SANITARY DISTRICT TO ENGAGE IN LITIGATION OR JOIN WITH OTHERS IN LITIGATION OPPOSING THE WITHDRAWAL OF WATER FROM A RIVER OR OTHER WATER SUPPLY, is withdrawn from the Committee on Judiciary No. 1 and placed on the Calendar, with its identical H. B. 306, for immediate consideration.

The bill passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

On motion of Representative J. W. Crawford, consideration of H. B. 306, A BILL TO BE ENTITLED AN ACT TO ALLOW A SANITARY DISTRICT TO ENGAGE IN LITIGATION OR JOIN WITH OTHERS IN LITIGATION OPPOSING THE WITHDRAWAL OF WATER FROM THE ROANOKE RIVER BASIN, is postponed until March 11, 1983.

House Committee Substitute for S. B. 18, A BILL TO BE ENTITLED AN ACT TO AMEND DOMICILIARY HOME COMMUNITY ADVISORY COMMITTEES.

Representative Wicker moves that the bill be re-referred to the Committee on Appropriations.

Representative Bruce Ethridge makes a substitute motion that consideration of the bill be postponed until March 15, 1983 and this motion carries.

S. B. 29, A BILL TO BE ENTITLED AN ACT PERMITTING A COURT TO ORDER CHILD SUPPORT PAYMENTS TO CONTINUE FOR AS LONG AS THE CHILD IS IN HIGH SCHOOL, passes its second reading, by electronic vote (115-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

H. B. 314, A BILL TO BE ENTITLED AN ACT TO PERMIT PASQUOTANK AND CHOWAN COUNTIES TO SELL IMPOUNDED DOGS AND CATS TO LICENSED ANIMAL DEALERS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 31, A BILL TO BE ENTITLED AN ACT TO REPEAL SECTION 2 OF CHAPTER 1399 OF THE 1981 SESSION LAWS, passes its second reading, by electronic vote (116-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 264, A BILL TO BE ENTITLED AN ACT TO REQUIRE FORFEITURE OF CONVEYANCES USED IN THE COMMISSION OF A ROBBERY, passes its second reading by electronic vote (115-0).

Representative Tennille objects to the third reading.

The bill remains on the Calendar.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

S. J. R. 108, A JOINT RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO OPPOSE THE PASSAGE OF A FEDERAL TUITION TAX CREDIT BILL, is read the first time and is referred to the Committee on Rules and Operation of the House.

On motion of Representative Hunt, seconded by Representative Foster, the House adjourns to reconvene March 10, 1983 at 1:30 p.m.

FORTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Thursday, March 10, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Fussell.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of March 9 has been examined and found correct. Upon his motion. the Journal is approved as written.

Leaves of absence are granted Representatives Gentry, Murphy, and Seymour for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Quinn for the Committee on Finance:

Committee Substitute for H. B. 1, A BILL TO BE ENTITLED AN ACT TO PROVIDE SAFE ROADS BY REQUIRING MANDATORY JAIL TERMS FOR GROSSLY AGGRAVATED DRUNKEN DRIVERS, PROVIDING AN EFFECTIVE DETERRENT TO REDUCE THE INCIDENCE OF IMPAIRED DRIVING, AND CLARIFYING THE STATUTES RELATED TO DRINKING AND DRIVING, with a favorable report.

On motion of Representative Quinn, the bill is re-referred to the Committee on Judiciary No. 3.

H. B. 18, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM AMOUNT OF THE BOND REQUIRED OF DISTRIBUTORS OF MOTOR FUEL AND SUPPLIERS OF SPECIAL FUEL, AND TO REQUIRE PERSONS WHO ARE BOTH DISTRIBUTORS AND SUPPLIERS TO FILE A BOND SUFFICIENT TO COVER BOTH LIABILITIES, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for March 14, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 176, A BILL TO BE ENTITLED AN ACT TO PERMIT THE TOWN OF LILLINGTON TO IMPOSE A TAX ON AUTOMOBILES OF FIVE DOLLARS, with a favorable report.

H. B. 210, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSIONER OF MOTOR VEHICLES TO COLLECT A FEE TO COVER THE COSTS OF APPROVING EQUIPMENT FOR USE ON MOTOR VEHICLES, with a favorable report.

H. B. 327, A BILL TO BE ENTITLED AN ACT TO INCLUDE CERTAIN COMPUTER PROGRAMS IN THE DEFINITION OF TANGIBLE PERSONAL PROPERTY UNDER THE SALES AND USE TAX PROVISIONS, with a favorable report.

By Representative Bumgardner for the Committee on Transportation:

H. B. 239, A BILL TO BE ENTITLED AN ACT TO EXTEND THE EXPIRATION FOR THE PAYMENT OF JUST COMPENSATION BY LOCAL AUTHORITIES REQUIRING THE REMOVAL OF BILLBOARDS WHICH ARE PERMITTED UNDER THE PROVISIONS OF ARTICLE 11 OF CHAPTER 136 OF THE GENERAL STATUTES, with a favorable report.

S. B. 56, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PROPERTY OWNER PARTICIPATION IN THE COSTS OF ROAD MAINTENANCE, IMPROVEMENTS, ADDITIONS AND ACQUISITION OF RIGHT-OF-WAY, with a favorable report.

By Representative Clark for the Committee on Alcoholic Beverage Control:

H. B. 247, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN TOWNSHIPS TO VOTE ON ALCOHOLIC BEVERAGES SALES, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for March 14, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Lambeth for the Committee on Wildlife Resources:

H. B. 362, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 75A-5 WITH RESPECT TO TRANSFER OF MOTORBOAT REGISTRATION, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

H. B. 363, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE WILDLIFE RESOURCE COMMISSION TO CONDUCT MANAGED HUNTS ON GAME LANDS AND TO CHARGE FEES FOR PROCESSING APPLICATIONS AND USE OF RELATED FACILITIES, with a favorable report amd recommendation that the bill be re-referred to the Committee on Finance.

H. B. 364, A BILL TO BE ENTITLED AN ACT TO REGULATE THE IMPORTATION, TRANSPORTATION AND POSSESSION OF DANGEROUS ANIMALS, with a favorable report, as amended.

By Representative Hunt for the Committee on Rules and Operation of the House:

H. J. R. 44, A JOINT RESOLUTION TO PERMIT THE CONTINUANCE OF THE WORK OF THE LEGISLATIVE RESEARCH COMMISSION'S STUDY ON THE PROBLEMS OF AGING AS BEGUN UNDER RESOLUTION 86 OF THE 1977 SESSION AS AMENDED BY RESOLUTION 106 OF THE 1977 SESSION AND BY RESOLUTION 62 OF THE 1979 SESSION, AND AS REAUTHORIZED BY RESOLUTION 61 OF THE 1981 SESSION, with a favorable report and recommendation that the resolution be re-referred to the Committee on Appropriations.

H. J. R. 191, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE TEACHING OF COMPUTER LITERACY IN THE PUBLIC SCHOOLS AND COMMUNITY COLLEGES, with a favorable report, as amended, and recommendation that the resolution be re-referred to the Committee on Appropriations.

On motion of Representative Hunt, Committee Amendment No. 1 is adopted.

On motion of Representative Wright, Committee Amendment No. 2 is adopted.

The resolution, as amended, is ordered engrossed and re-referred to the Committee on Appropriations.

S. J. R. 108, A JOINT RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO OPPOSE THE PASSAGE OF A FEDERAL TUITION TAX CREDIT BILL, with a favorable report, as amended.

H. J. R. 16, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO CONTINUE TO STUDY THE REVENUE LAWS OF NORTH CAROLINA, with a favorable report and recommendation that the resolution be re-referred to the Committee on Appropriations.

By Representative Evans for the Committee on Banks and Thrift Institutions:

H. B. 274, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE NORTH CAROLINA HOUSING FINANCE AGENCY TO MAKE LOANS TO MORTGAGE LENDERS, with a favorable report.

On motion of Representative Evans, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading by electronic vote (84-1).

The bill passes its third reading and is ordered sent to the Senate.

S. B. 57, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET PROVISION IN THE 1981 ACT CHANGING THE RATE OF INTEREST IN THE CONSUMER FINANCE ACT, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Thomas, Childress, Hauser, and Slaughter:

H. B. 403, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE AUTISTIC GROUP HOME FOR CHILDREN IN STANLY COUNTY, is referred to the Committee on Appropriations.

By Representatives Beall and Ramsey:

H. B. 404, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE TOWN OF HAZELWOOD TO ALLOW THE TOWN TO SOLVE ITS WATER LOSS PROBLEM, is referred to the Committee on Appropriations.

By Representatives Hudson, Quinn, Slaughter, and Thomas:

H. B. 405, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF MONROE TO CONVEY TO THE UNITED STATES OR ANY AGENCY THEREOF WITH OR WITHOUT CONSIDERATION, OR TO EXCHANGE WITH THE UNITED STATES OR ANY AGENCY THEREOF FOR OTHER REAL AND/OR PERSONAL PROPERTY CERTAIN REAL PROPERTY OWNED BY THE CITY OF MONROE, is referred to the Committee on Local Government No. 1.

By Representatives Locks, DeVane, and Hasty:

H. B. 406, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE OUTDOOR DRAMA "STRIKE AT THE WIND", is referred to the Committee on Cultural Resources.

By Representative Auman:

H. B. 407, A BILL TO BE ENTITLED AN ACT TO AMEND THE JUVENILE CODE, is referred to the Committee on Judiciary No. 3.

By Representative Auman:

H. B. 408, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE PROCEDURE FOR ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, is referred to the University Board of Governors Nominating Committee.

By Representatives Varner, Beall, Beard, Berry, Blue, Brennan, Clark, Cochrane, Colton, N. J. Crawford, Easterling, Economos, Foster, Fussell, Greenwood, Helms, Holt, Jordan, Lambeth, McAlister, McDowell, Mauney, Musselwhite, Nesbitt, Spoon, Stamey, Tyson, and Wright:

H. B. 409, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO INCREASE THE LEVEL OF THE GRANTS-IN-AID TO THE PRIVATE CHILD-CARING INSTITUTIONS, is referred to the Committee on Appropriations.

By Representatives Colton, Barnes, Beall, Brown, N. J. Crawford, Diamont, Enloe, Greenwood, Hunter, Kennedy, Lacey, Locks, Nesbitt, Owens, and Robinson:

H. J. R. 410, A JOINT RESOLUTION MEMORIALIZING CONGRESS TO ASSURE THAT FEDERAL LANDS CURRENTLY DESIGNATED AS UNITED STATES FOREST AND PARK LANDS IN WESTERN NORTH CAROLINA REMAIN IN PUBLIC OWNERSHIP, is referred to the Committee on Rules and Operation of the House.

By Representatives Blue and Tennille:

H. B. 411, A BILL TO BE ENTITLED AN ACT TO ALLOW WITNESS FEES TO BE PAID IN JUVENILE PROCEEDINGS, is referred to the Committee on Judiciary No. 3.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H. B. 212, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEVEN-MEMBER BOARD OF MORTUARY SCIENCE, TO SET THREE-YEAR TERMS, AND TO LIMIT SERVICE TO TWO CONSECUTIVE TERMS, is returned for concurrence in Senate amendment and is placed on the Calendar for March 11, 1983.

S. B. 119, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 54B OF THE GENERAL STATUTES OF NORTH CAROLINA RELATING TO SAVINGS AND LOAN ASSOCIATIONS, is read the first time and is referred to the Committee on Banks and Thrift Institutions.

CALENDAR

Action is taken on the following:

Committee Substitute for H. B. 101, A BILL TO BE ENTITLED AND ACT TO RAISE AGE LIMITS FOR DAY-CARE STAFF.

On motion of Representative Keesee, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 317, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN PROPERTY TO THE TOWN OF AYDEN, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Evans, Fenner, Fletcher, Foster, Fussell, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holt, Hudson, C. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Musselwhite, Nash, Nesbitt,

Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Slaughter, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Womble, B. Woodard, C. Woodard, and Wright — 103.

Voting in the negative: None.

Excused absences: Representatives Gentry, Murphy, and Seymour — 3.

H. B. 304, A BILL TO BE ENTITLED AN ACT TO REQUIRE CONSENT OF THE UNION COUNTY BOARD OF COMMISSIONERS BEFORE LAND IN THAT COUNTY MAY BE CONDEMNED OR ACQUIRED BY A UNIT OF LOCAL GOVERNMENT OUTSIDE THE COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 316, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF HILLSBOROUGH TO BE DIVIDED INTO MORE THAN ONE PRECINCT AND TO VALIDATE ELECTIONS AND ACTIONS OF THAT TOWN, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 337, A BILL TO BE ENTITLED AN ACT TO EXPAND THE MEMBERSHIP OF THE INDUSTRIAL-AGRICULTURAL DEVELOPMENT COMMISSION OF LENOIR COUNTY.

On motion of Representative Lilley, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 344, A BILL TO BE ENTITLED AN ACT TO CHANGE THE FILING DEADLINE FOR ELECTION TO THE RUTHERFORD COUNTY BOARD OF EDUCATION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 349, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DEFINITION OF SUBDIVISION FOR SUBDIVISION REGULATION IN SCOTLAND COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 350, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ELECTION OF MEMBERS OF THE ROWAN COUNTY BOARD OF EDUCATION IN THE GENERAL ELECTION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 357, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF NEW HANOVER COUNTY TO CLOSE ROADS OR EASEMENTS THAT HAVE BEEN OFFERED FOR DEDICATION BUT NEVER ACCEPTED BY A PUBLIC BODY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 358, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF NEW HANOVER COUNTY TO NAME ALL ROADS PUBLIC AND PRIVATE AND ASSIGN STREET NUMBERS IN UNINCORPORATED AREAS.

Representative Payne offers Amendment No. 1 which is adopted. This amendment changes the title.

The bill, as amended, passes its second reading and remains on the Calendar.

H. B. 359, A BILL TO BE ENTITLED AN ACT TO ALLOW NEW HANOVER COUNTY TO NAME AND ASSIGN STREET NUMBERS TO PRIVATE ROADS IN UNINCORPORATED AREAS.

Representative Payne offers Amendment No. 1 which is adopted. This amendment changes the title.

The bill, as amended, passes its second reading and remains on the Calendar.

H. B. 264, A BILL TO BE ENTITLED AN ACT TO REQUIRE FORFEITURE OF CONVEYANCES USED IN THE COMMISSION OF A ROBBERY, passes its third reading, by electronic vote (110-0), and is ordered sent to the Senate.

Committee Substitute for H. B. 82, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN VOLUNTEER AND MUNICIPAL FIRE DEPARTMENTS FROM THE OCCUPATIONAL SAFETY AND HEALTH ACT OF NORTH CAROLINA, passes its second reading by electronic vote (104-8.)

Representative Varner objects to the third reading. The bill remains on the Calendar.

Representative Varner withdraws his objection to the third reading.

On motion of Representative Jordan, the third reading is taken by electronic vote.

The bill passes its third reading, by electronic vote (76-7), and is ordered sent to the Senate.

H. B. 335, A BILL TO BE ENTITLED AN ACT TO ESTABLISH MINIMUM IN-SERVICE TRAINING STANDARDS.

On motion of Representative McDowell, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 199, A BILL TO BE ENTITLED AN ACT TO PERMIT THE ODOMETER DISCLOSURE TO BE MADE ON THE CERTIFICATE OF TITLE, passes its second reading, by electronic vote (105-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 200, A BILL TO BE ENTITLED AN ACT TO REDEFINE THE REQUIRED EXHAUST SYSTEMS ON MOTOR VEHICLES.

On motion of Representative Fussell, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (103-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Committee Substitute for S. B. 144, A BILL TO BE ENTITLED AN ACT TO PROMOTE FAIR COMMERCIAL PRACTICES IN THE WHOLESALE WINE INDUSTRY.

On motion of Representative Nesbitt, Committee Amendment No. 1 is adopted.

Representative Hauser offers Amendment No. 2 which is adopted by electronic vote (105-2).

Representative Holt offers Amendment No. 3 which fails by electronic vote (38-67).

Representative Holt offers Amendment No. 4.

Representative Clark moves that the bill be re-referred to the Committee on Alcoholic Beverage Control.

Representative Helms moves, seconded by Representative Diamont, that Representative Clark's motion do lie upon the table. This motion carries by electronic vote (61-46).

Now the question is the amendment by Representative Holt. Representative Holt's Amendment No. 4 fails by electronic vote (32-73).

Representative Adams offers Amendment No. 5 which is adopted.

Representative Blue offers Amendment No. 6 which is adopted.

Representative Holt offers Amendment No. 7.

On motion of Representative Nesbitt, seconded by Representative Hackney, Amendment No. 7 is tabled by electronic vote (68-32).

Representative Gist offers Amendment No. 8.

On motion of Representative Wicker, seconded by Representative C. Hughes, Amendment No. 8 is tabled by electronic vote (82-24).

Representative Nesbitt calls the previous question on the passage of the bill and the call is sustained by electronic vote (87-20).

The bill, as amended, passes its second reading by electronic vote (70-35).

Representative Holt objects to the third reading. The bill remains on the Calendar.

On motion of Representative Lancaster, Committee Substitute for H. B. 1, A BILL TO BE ENTITLED AN ACT TO PROVIDE SAFE ROADS BY REQUIRING MANDATORY JAIL TERMS FOR GROSSLY AGGRAVATED DRUNKEN DRIVERS, PROVIDING AN EFFECTIVE DETERRENT TO REDUCE THE INCIDENCE OF IMPAIRED DRIVING, AND CLARIFYING THE STATUTES RELATED TO DRINKING AND DRIVING, is withdrawn from the Committee on Judiciary No. 3 and is re-referred to the Committee on Appropriations.

H. B. 166, A BILL TO BE ENTITLED AN ACT TO PERMIT RATE DEVIATIONS IN WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY INSURANCE.

On motion of Representative Lilley, consideration of the bill is postponed until March 14, 1983.

On motion of Representative Hightower, Committee Substitute for H. B. 59, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE APPLICABILITY OF THE GROUP HEALTH INSURANCE CONTINUATION AND CONVERSION LAW AND TO CLARIFY PROVISIONS REGARDING ISSUANCE OF CONVERSION POLICIES, is withdrawn from the Calendar of March 11 and is placed on the Calendar of March 14, 1983.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. B. 29, AN ACT PERMITTING A COURT TO ORDER CHILD SUPPORT PAYMENTS TO CONTINUE FOR AS LONG AS THE CHILD IS IN HIGH SCHOOL.

S. B. 148, AN ACT TO ALLOW A SANITARY DISTRICT TO ENGAGE IN LITIGATION OR JOIN WITH OTHERS IN LITIGATION OPPOSING THE WITHDRAWAL OF WATER FROM A RIVER OR OTHER WATER SUPPLY.

H. B. 78, AN ACT TO ALLOW THE MECKLENBURG COUNTY BOARD OF EDUCATION TO FILL BY APPOINTMENT A VACANCY CREATED WHEN A MEMBER IS ELECTED TO ANOTHER PUBLIC OFFICE, LOCAL, STATE OR FEDERAL.

H. B. 244, AN ACT TO REDUCE THE SIZE OF THE RICHMOND COUNTY BOARD OF COMMISSIONERS FROM SIX TO FIVE AND PROVIDE THAT THE COMMISSION SHALL ELECT ITS OWN CHAIRMAN.

H. B. 245, AN ACT TO CHANGE THE STYLE OF THE GOVERNING BOARD OF THE CITY OF LINCOLNTON FROM THE BOARD OF ALDERMEN TO THE CITY COUNCIL.

H. B. 254, AN ACT TO CHANGE THE EFFECTIVE DATE OF AN ANNEXATION OF THE TOWN OF MOREHEAD CITY.

H. B. 283, AN ACT TO AUTHORIZE THE CITY OF ALBEMARLE TO CONVEY AT PRIVATE SALE A TRACT OF LAND TO COLLINS AND AIKMAN CORPORATION ON A BASIS OTHER THAN THE HIGHEST MONETARY BID, BECAUSE SUCH DISPOSITION IS FOUND TO SERVE THE BEST INTEREST OF THE MUNICIPALITY.

CALENDAR (continued)

H. B. 288, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITIES AND COUNTIES TO PROVIDE ALTERNATIVES FOR THE TRANSPORTATION OF INVOLUNTARILY COMMITTED RESPONDENTS.

On motion of Representative Lutz, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (81-0), and there being no objection is read a third time.

Representative Hackney offers Amendment No. 2 which is adopted by electronic vote (78-0).

The bill, as amended, passes its third reading, by electronic vote (80-0), and is ordered engrossed and sent to the Senate.

S. J. R. 64, A JOINT RESOLUTION ENCOURAGING HEALTH INSURANCE CARRIERS TO OFFER AND PROMOTE COVERAGE FOR MENTAL HEALTH AND RELATED SERVICES, passes its second reading, by electronic vote (74-1), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

S. B. 103, A BILL TO BE ENTITLED AN ACT TO EXTEND THE MENTAL HEALTH STUDY COMMISSION.

On motion of Representative Barker, consideration of the bill is postponed until May 2, 1983.

On motion of Representative Watkins, H. B. 92, A BILL TO BE ENTITLED AN ACT TO ALLOW THE NEWTON-CONOVER AND THE CATAWBA COUNTY SCHOOL UNIT BOARDS OF EDUCATION TO PAY THEIR TEN-MONTH PERSONNEL ON OR BEFORE THE FIFTEENTH DAY OF EACH MONTH, is withdrawn from the Committee on Appropriations and is re-referred to the Committee on Local Government No. 1.

On motion of Representative Hunt, seconded by Representative Church, the House adjourns to reconvene March 11, 1983 at 11:00 a.m.

FORTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Friday, March 11, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Beard.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of March 10 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Anderson, Cook, Crawford, Hightower, Holmes, Hunter, Murphy, Musselwhite, and Seymour for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Brennan for the Committee on Human Resources:

H. B. 186, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 110 OF THE GENERAL STATUTES TO ESTABLISH PROCEDURES FOR THE PROVISION OF NONRECIPIENT SERVICES AS REQUIRED BY FEDERAL LAW, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

H. B. 259, A BILL TO BE ENTITLED AN ACT TO SPECIFY THAT REVENUE

FROM THE PRIVILEGE LICENSE TAX ON DAY-CARE FACILITIES BE USED FOR A STATEWIDE INFORMATION SYSTEM ON DAY CARE, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

H. B. 260, A BILL TO BE ENTITLED AN ACT TO EXCLUDE FROM GROSS INCOME AMOUNTS PAID BY AN EMPLOYER FOR DEPENDENT CARE ASSISTANCE PROVIDED FOR THE BENEFIT OF THE EMPLOYEE, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

By Representative Lambeth for the Committee on Wildlife Resources:

Senate Committee Substitute for H. B. 109, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE WILDLIFE PRESERVE AND BIRD SANCTUARY IN ARROWHEAD BEACH SUBDIVISION, CHOWAN COUNTY, with recommendation that House do not concur and request conferees.

On motion of Representative Lambeth, the House does not concur in the Senate committee substitute and a conference committee is requested.

The Speaker appoints as conferees on the part of the House, Representative Lambeth, Chairman; Representatives James and Evans and the Senate is so notified by Special Message.

H. B. 155, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE TAKING OF WILD ANIMALS WITH BAIT, with a favorable report, as amended.

By Representative Bumgardner for the Committee on Transportation:

H. B. 167, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 20 TO DEFINE MUNICIPALITIES FOR THE PURPOSE OF ESTABLISHING SPEED ZONES TO INCLUDE ONLY THOSE WITH FUNCTIONING GOVERNMENTS, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for March 15, 1983. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Greenwood, Colton, N. J. Crawford, and Nesbitt:

H. B. 412, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE RESTORATION OF THE HENRY STEVENS CARSON CABIN IN BUNCOMBE COUNTY, is referred to the Committee on Cultural Resources.

By Representative Hackney:

H. B. 413, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE EQUITABLE DISTRIBUTION ACT, is referred to the Committee on Judiciary No. 1.

By Representative Hackney:

H. B. 414, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COURT TO ENJOIN THE DISPOSAL OF MARITAL PROPERTY PENDING INSTITUTION OF AN EQUITABLE DISTRIBUTION ACTION, is referred to the Committee on Judiciary No. 1.

By Representative Helms:

H. B. 415, A BILL TO BE ENTITLED AN ACT TO MAKE CLEAR THAT PERSONAL JURISDICTION MAY BE OBTAINED BY SERVICE BY PUBLICATION, is referred to the Committee on Courts and Administration of Justice.

By Representatives Redding and Brubaker:

H. B. 416, A BILL TO BE ENTITLED AN ACT TO INCLUDE FELONIOUS BREAKING AND ENTERING WITHIN THE FELONY MURDER RULE, is referred to the Committee on Judiciary No. 1.

By Representatives Lancaster and C. Woodard:

H. J. R. 417, A JOINT RESOLUTION MEMORIALIZING THE LIFE AND WORK OF HARDY TALTON, is referred to the Committee on Rules and Operation of the House.

By Representatives Watkins and Church:

H. B. 418, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COUNTY OF CASWELL TO CONVEY A PARCEL OF LAND AT PRIVATE SALE TO THE CHEROKEE COUNCIL OF THE BOY SCOUTS OF AMERICA, INC., is referred to the Committee on Local Government No. 1.

By Representatives Gillam and Creecy:

H. B. 419, A BILL TO BE ENTITLED AN ACT TO DELETE THE OBSOLETE REQUIREMENTS THAT CLERKS OF COURT FURNISH AN INDIVIDUAL BOND AND THAT SHERIFFS FURNISH A BOND FOR THE COLLECTION OF TAXES, is referred to the Committee on Courts and Administration of Justice.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S. B. 113, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN PRIVATE ROADS SERVING AS THE ONLY LAND ACCESS BETWEEN TWO COMMUNITIES MUST BE OPEN, is read the first time and is referred to the Committee on Judiciary No. 3.

H. B. 309, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR VIOLATING ORDINANCES OF THE CITY OF CHARLOTTE, is returned for concurrence in Senate amendment and is placed on the Calendar for March 14, 1983.

S. B. 132, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ELECTION OF THE CHAIRMAN AND VICE-CHAIRMAN OF THE CUMBERLAND COUNTY BOARD OF EDUCATION, is read the first time and is referred to the Committee on Local Government No. 1.

S. B. 137, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF HICKORY TO CONVEY A PARCEL OF LAND AT PRIVATE SALE TO THE HICKORY MUSEUM OF ART, INC., AND TO VALIDATE A CONVEYANCE BY THE BOARD OF EDUCATION OF THE HICKORY ADMINISTRATIVE SCHOOL UNIT, is read the first time and is referred to the Committee on Local Government No. 2.

S. B. 166, A BILL TO BE ENTITLED AN ACT TO PERMIT THE TOWN OF BEAUFORT TO DISPOSE OF CERTAIN PROPERTY, is read the first time and is referred to the Committee on Local Government No. 2.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 86, AN ACT TO ALLOW CORPORATIONS TO DEDUCT THE AMOUNT BY WHICH THE BASIS OF CERTAIN PROPERTY IS REDUCED BY A FEDERAL TAX CREDIT.

H. B. 101, AN ACT TO RAISE AGE LIMITS FOR DAY-CARE STAFF.

H. B. 165, AN ACT TO DEFINE THE TERM OF THE LEGISLATIVE RESEARCH COMMISSION AND TO ALLOW THE LEGISLATIVE RESEARCH COMMISSION TO CONTINUE TO ACT CONCERNING THE STATE'S INTEREST IN RAILROAD PROPERTIES.

H. B. 249, AN ACT TO PROVIDE THAT THE GOVERNING BODY OF A TAXING UNIT MAY DELAY THE ACCRUAL OF INTEREST ON CERTAIN UNPAID PROPERTY TAXES.

H. B. 297, AN ACT TO RAISE THE SIZE OF ESTATES THAT MAY BE ADMINISTERED UNDER THE SMALL ESTATES PROVISIONS OF ARTICLE 25 OF CHAPTER 28A AND UNDER G. S. 7A-111 AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

H. B. 302, AN ACT TO ELIMINATE THE REQUIREMENT FOR A SEPARATE RECORD OF RENUNCIATION AND TO CLARIFY LANGUAGE REGARDING PARTIAL RENUNCIATIONS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

H. J. R. 98, A JOINT RESOLUTION MEMORIALIZING THE LIFE AND WORK OF RAYMOND M. WHEELER, M.D.

S. J. R. 64, A JOINT RESOLUTION ENCOURAGING HEALTH INSURANCE CARRIERS TO OFFER AND PROMOTE COVERAGE FOR MENTAL HEALTH AND RELATED SERVICES.

CALENDAR

Action is taken on the following:

H. B. 212, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SEVEN-MEMBER BOARD OF MORTUARY SCIENCE, TO SET THREE-YEAR TERMS, AND TO LIMIT SERVICE TO TWO CONSECUTIVE TERMS.

On motion of Representative Church, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 317, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN PROPERTY TO THE TOWN OF AYDEN, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Allran, Auman, Ballance, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Burnley, Chapin, Church, Coble, Cochrane, Colton, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Evans, Fenner, Foster, Fulcher, Fussell, Gentry, Gist, Greenwood, Grimsley, Hasty, Hauser, Hayden, Holt, Hudson, J. Hughes, Hunt, Huskins, Jarrell, Jeralds, Jones, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Locks, Lutz, McAlister, Matthews, Mauney, Mavretic, Miller,

Nash, Nesbitt, Payne, Poovey, Quinn, Rabon, Redding, Roberts, Robinson, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B.Woodard, and C. Woodard — 85.

Voting in the negative: None.

Excused absences: Representatives Anderson, Cook, J. W. Crawford, Hightower, Holmes, Hunter, Murphy, Musselwhite, and Seymour — 9.

H. B. 176, A BILL TO BE ENTITLED AN ACT TO PERMIT THE TOWN OF LILLINGTON TO IMPOSE A TAX ON AUTOMOBILES OF FIVE DOLLARS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Bumgardner, Burnley, Chapin, Church, Coble, Cochrane, Colton, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Fenner, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hasty, Hauser, Hayden, Holt, Hudson, J. Hughes, Hunt, Huskins, James, Jarrell, Jeralds, Jones, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, Matthews, Mauney, Mavretic, Miller, Nash, Nesbitt, Payne, Pool, Poovey, Quinn, Rabon, Redding, Roberts, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, and C. Woodard — 92.

Voting in the negative: None.

Excused absences: Representatives Anderson, Cook, J. W. Crawford, Hightower, Holmes, Hunter, Murphy, Musselwhite, and Seymour — 9.

H. B. 358, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF NEW HANOVER COUNTY AND AVERY COUNTY TO NAME ALL ROADS PUBLIC AND PRIVATE AND ASSIGN STREET NUMBERS IN UNINCORPORATED AREAS.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 359, A BILL TO BE ENTITLED AN ACT TO ALLOW NEW HANOVER COUNTY AND AVERY COUNTY TO NAME AND ASSIGN STREET NUMBERS TO PRIVATE ROADS IN UNINCORPORATED AREAS.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 306, A BILL TO BE ENTITLED AN ACT TO ALLOW A SANITARY DISTRICT TO ENGAGE IN LITIGATION OR JOIN WITH OTHERS IN LITIGATION OPPOSING THE WITHDRAWAL OF WATER FROM THE ROANOKE RIVER BASIN.

On motion of Representative Church, consideration of the bill is postponed indefinitely by electronic vote (94-1).

S. J. R. 108, A JOINT RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO OPPOSE THE PASSAGE OF A FEDERAL TUITION TAX CREDIT BILL.

On motion of Representative Diamont, consideration of the resolution is postponed until March 15, 1983.

H. B. 327, A BILL TO BE ENTITLED AN ACT TO INCLUDE CERTAIN COMPUTER PROGRAMS IN THE DEFINITION OF TANGIBLE PERSONAL PROPERTY UNDER THE SALES AND USE TAX PROVISIONS, passes its second reading, by the following vote.

Those voting in the affirmative are: Representatives Adams, Allran, Auman, Ballance, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Church, Coble, Cochrane, Colton, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Fenner, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Huskins, James, Jarrell, Jeralds, Jones, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Nash, Nesbitt, Payne, Pool, Poovey, Quinn, Rabon, Redding, Roberts, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, and C. Woodard — 95.

Voting in the negative: None.

Excused absences: Representatives Anderson, Cook, J. W. Crawford, Hightower, Holmes, Hunter, Murphy, Musselwhite, and Seymour — 9.

On motion of Representative Coble, third reading is postponed until March 15, 1983.

H. B. 210, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSIONER OF MOTOR VEHICLES TO COLLECT A FEE TO COVER THE COSTS OF APPROVING EQUIPMENT FOR USE ON MOTOR VEHICLES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Allran, Auman, Ballance, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Church, Cochrane, Colton, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Foster, Fulcher, Fussell, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Huskins, James, Jarrell, Jeralds, Jones, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Nash, Nesbitt, Payne, Pool, Poovey, Quinn, Rabon, Redding, Roberts, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, and C. Woodard — 93.

Voting in the negative: None.

Excused absences: Representatives Anderson, Cook, J. W. Crawford, Hightower, Holmes, Hunter, Murphy, Musselwhite, and Seymour — 9.

Committee Substitute for S. B. 144, A BILL TO BE ENTITLED AN ACT TO PROMOTE FAIR COMMERCIAL PRACTICES IN THE WHOLESALE WINE INDUSTRY.

On motion of Representative Nesbitt, consideration of the bill is postponed until March 16, 1983.

Committee Substitute for H. B. 118, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE USE OF THE SINGLE PORTAL OF ENTRY AND EXIT PRINCIPLE IN RENDERING MENTAL HEALTH SERVICES.

On motion of Representative Barker, consideration of the bill is postponed until March 14, 1983.

H. B. 239, A BILL TO BE ENTITLED AN ACT OT EXTEND THE EXPIRATION FOR THE PAYMENT OF JUST COMPENSATION BY LOCAL AUTHORITIES REQUIRING THE REMOVAL OF BILLBOARDS WHICH ARE PERMITTED UNDER THE PROVISIONS OF ARTICLE 11 OF CHAPTER 136 OF THE GENERAL STATUTES, passes its second reading, by electronic vote (95-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S. B. 56, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PROPERTY OWNER PARTICIPATION IN THE COSTS OF ROAD MAINTENANCE, IMPROVEMENTS, ADDITIONS AND ACQUISITION OF RIGHT-OF-WAY, passes its second reading by electronic vote (92-3).

Representative Lancaster objects to the third reading.

On motion of Representative Lancaster, third reading is postponed until March 15, 1983.

H. B. 364, A BILL TO BE ENTITLED AN ACT TO REGULATE THE IMPORTATION, TRANSPORTATION AND POSSESSION OF DANGEROUS ANIMALS.

On motion of Representative Lambeth, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading by electronic vote (96-0).

Representative Watkins objects to the third reading. The bill remains on the Calendar.

S. B. 57, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET PROVISION IN THE 1981 ACT CHANGING THE RATE OF INTEREST IN THE CONSUMER FINANCE ACT, passes its second reading, by electronic vote (91-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

On motion of Representative Hunt, seconded by Representative Hayden, the House adjourns to reconvene Monday, March 14, 1983 at 8:00 p.m.

FORTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Monday, March 14, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Jordan.

Representative Hunt, for the Committee on Rules and Operation of the House, reports

the Journal of March 11 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Cochrane, Hightower, Robinson, and Seymour for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Gentry for the Committee on Election Laws:

H. B. 253, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHEN THE FILING DEADLINE FOR CANDIDACY TO TWO OR MORE PUBLIC OFFICES IS THE SAME, A PERSON MAY NOT FILE AS A CANDIDATE FOR MORE THAN ONE OFFICE, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Beard, Clark, Edwards, Jeralds, and Tyson:

H. B. 420, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CONSTRUCTION OF A REGIONAL STATE OFFICE BUILDING IN FAYETTEVILLE, is referred to the Committee on Appropriations.

By Representatives Lambeth, Adams, Beall, Black, Blue, Brown, Creecy, Diamont, Economos, Edwards, Evans, Fenner, Foster, Fussell, Gillam, Grimsley, Hayden, Hightower, James, Jordan, Lancaster, Lilley, McAlister, McDowell, Miller, Musselwhite, Nash, Payne, Poovey, Pulley, Slaughter, Stamey, Thomas, Tyndall, Tyson, Varner, B. Woodard, and Wright:

H. B. 421, A BILL TO BE ENTITLED AN ACT TO REGULATE FLASHING SIGNS NEAR ROADWAYS, is referred to the Committee on Highway Safety.

By Representative Spaulding:

H. B. 422, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT POLITICAL PARTIES PAY FOR PRIMARIES, is referred to the Committee on Election Laws.

By Representatives Easterling, Berry, Black, Brennan, Economos, Foster, Helms, and Spoon:

H. B. 423, A BILL TO BE ENTITLED AN ACT TO ADD A SPEED RESTRICTION FOR SUBDIVISION STREETS, is referred to the Committee on Local Government No. 2.

By Representatives Easterling, Berry, Brennan, Economos, Foster, Helms, and Spoon:

H. B. 424, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM FINE FOR VIOLATION OF MECKLENBURG COUNTY ORDINANCES, is referred to the Committee on Local Government No. 2.

By Representatives Easterling, Berry, Brennan, Black, Economos, Foster, Helms, and Spoon:

H. B. 425, A BILL TO BE ENTITLED AN ACT TO ALLOW CITIES AND COUNTIES TO CONTRACT FOR THE OPERATION OF HUMAN RELATIONS, COMMUNITY ACTION AND MANPOWER DEVELOPMENT PROGRAMS, is referred to the Committee on Local Government No. 2.

By Representatives James, Enloe, Evans, C. Hughes, Keesee, Seymour, and Tyson:

H. B. 426, A BILL TO BE ENTITLED AN ACT TO INCREASE STATE SALES AND USE TAXES TO FOUR PERCENT AND TO DISTRIBUTE ONE-HALF OF THE INCREASED REVENUE TO UNITS OF LOCAL GOVERNMENT, is referred to the Committee on Finance.

By Representative James:

H. B. 427, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONDITIONS OF AN ASSESSMENT ON YAM PRODUCERS WHICH MAY BE AUTHORIZED IN A PRODUCERS' REFERENDUM, is referred to the Committee on Agriculture.

By Representatives DeVane, Beall, Beard, Bowen, Brannan, Edwards, Gist, Hasty, Jeralds, Locks, Matthews, Pool, Roberts, Tyson, Warren, and C. Woodard:

H. B. 428, A BILL TO BE ENTITLED AN ACT TO PERMIT ALL INCORPORATED CITIES AND TOWNS TO LEVY AUTO TAXES OF NOT MORE THAN FIVE DOLLARS, is referred to the Committee on Finance.

By Representatives Evans and Chapin:

H. B. 429, A BILL TO BE ENTITLED AN ACT TO MAKE A TECHNICAL CORRECTION IN A REFERENCE TO A PLAT OF THE COUNTY BOUNDARY BETWEEN TYRRELL AND WASHINGTON COUNTIES, is referred to the Committee on Local Government No. 2.

By Representative Colton:

H. B. 430, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES TO HELP EXPAND NORTH CAROLINA'S STATEWIDE REVOLVING FUND FOR HISTORIC PRESERVATION, is referred to the Committee on Cultural Resources.

By Representatives Lambeth and Varner:

H. B. 431, A BILL TO BE ENTITLED AN ACT TO EXTEND TERRITORIAL JURISDICTION OF THE MOCKSVILLE POLICE, is referred to the Committee on Law Enforcement.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H. B. 211, A BILL TO BE ENTITLED AN ACT TO AMEND THE NURSING HOME ADMINISTRATOR ACT, is returned for concurrence in the Senate amendment and is placed on the Calendar for March 15, 1983.

S. B. 67, A BILL TO BE ENTITLED AN ACT TO MAKE THE CHARITABLE SOLICITATION LICENSURE ACT INAPPLICABLE TO CERTAIN FOUNDATIONS AND TRUSTS, is read the first time and is referred to the Committee on Judiciary No. 3.

Committee Substitute for S. B. 83, A BILL TO BE ENTITLED AN ACT SETTING STANDARDS FOR QUALIFICATION, TRAINING AND EXPERIENCE FOR PERSONS SEEKING TO REPRESENT THEMSELVES TO THE PUBLIC AS CERTIFIED SOCIAL WORKERS: CREATING A STATE BOARD OF EXAMINERS FOR SOCIAL WORKERS: DEFINING THE FUNCTIONS AND DUTIES OF THAT BOARD: AND PROVIDING FOR PENALTIES, is read the first time and is referred to the Committee on State Government.

Committee Substitute for S. B. 96, A BILL TO BE ENTITLED AN ACT TO PERMIT VETERANS WHO ARE BOTH DISABLED AND HANDICAPPED TO PARK IN HANDICAPPED SPACES AT REDUCED COST, is read the first time and is referred to the Committee on Transportation.

S. B. 101, A BILL TO BE ENTITLED AN ACT TO MAKE FIRST AND SECOND DEGREE SEX OFFENSES NON-DIVERTIBLE OFFENSES FOR JUVENILE COMPLAINTS, is read the frist time and is referred to the Committee of Judiciary No. 3.

S. B. 131, A BILL TO BE ENTITLED AN ACT CONCERNING BOLL WEEVIL ERADICATION, is read the first time and is referred to the Committee on Agriculture.

S. J. R. 136, A JOINT RESOLUTION EXPRESSING THE CONCERN OF THE MEMBERS OF THE GENERAL ASSEMBLY AT THIS TIME OF SUBSTANTIAL UNEMPLOYMENT, AND UNDER-EMPLOYMENT, AND URGING THAT ALL INSTRUMENTALITIES OF GOVERNMENT JOIN IN CONSTRUCTIVE ACTION TO ALLEVIATE THE PRESENT DISTRESS, is read the first time and is referred to the Committee on Rules and Operation of the House.

S. J. R. 149, A JOINT RESOLUTION DIRECTING THE OFFICE OF STATE BUDGET AND MANAGEMENT TO PREPARE THE STATE BUDGET TO REFLECT THE COSTS OF THE STATE'S SHARE OF LOCALLY OPERATED SERVICE PROGRAMS, is read the first time and is referred to the Committee on Rules and Operation of the House.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 136, AN ACT TO CLARIFY FEES CHARGED BY THE PRIVATE PROTECTIVE SERVICES BOARD.

S. B. 57, AN ACT TO REPEAL THE SUNSET PROVISION IN THE 1981 ACT CHANGING THE RATE OF INTEREST IN THE CONSUMER FINANCE ACT.

H. B. 212, AN ACT TO ESTABLISH A SEVEN-MEMBER BOARD OF MORTUARY SCIENCE, TO SET THREE-YEAR TERMS, AND TO LIMIT SERVICE TO TWO CONSECUTIVE TERMS.

CALENDAR

Action is taken on the following:

H. B. 309, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR VIOLATING ORDINANCES OF THE CITY OF CHARLOTTE.

On motion of Representative Easterling, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 176, A BILL TO BE ENTITLED AN ACT TO PERMIT THE TOWN OF LILLINGTON TO IMPOSE A TAX ON AUTOMOBILES OF FIVE DOLLARS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Coble, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hasty, Hauser, Hayden, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lambeth, Lancaster, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Pool, Poovey, Pulley, Redding, Rhodes, Roberts, Slaughter, Spaulding, Stamey, Tennille, Thomas, Tyndall, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 100.

Voting in the negative: None.

Excused absences: Representatives Cochrane, Hightower, Robinson, and Seymour — 4.

H. B. 364, A BILL TO BE ENTITLED AN ACT TO REGULATE THE IMPORTATION, TRANSPORTATION AND POSSESSION OF DANGEROUS ANIMALS.

On motion of Representative Lambeth, consideration of the bill is postponed until March 15, 1983.

H. B. 210, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSIONER OF MOTOR VEHICLES TO COLLECT A FEE TO COVER THE COSTS OF APPROVING EQUIPMENT FOR USE ON MOTOR VEHICLES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Berry, Black, Blue, Bowen, Brannan, Brawley, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Coble, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Holmes, Holt, Hudson, C. Hughes, Hunt, Hunter, Huskins, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Muselwhite, Nash, Owens, Pool, Poovey, Pulley, Redding, Rhodes, Roberts, Spaulding, Stamey, Tennille, Thomas, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, and Wright — 99.

Voting in the negative: None.

Excused absences: Representatives Cochrane, Hightower, Robinson, and Seymour — 4.

Committee Substitute for H. B. 59, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE APPLICABILITY OF THE GROUP HEALTH INSURANCE CONTINUATION AND CONVERSION LAW AND TO CLARIFY PROVISIONS REGARDING ISSUANCE OF CONVERSION POLICIES.

On motion of Representative Hunt, consideration of the bill is postponed until March 15, 1983.

H. B. 166, A BILL TO BE ENTITLED AN ACT TO PERMIT RATE DEVIATIONS IN WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY INSURANCE.

On motion of Representative Anderson, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Committee Substitute for H. B. 118, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE USE OF THE SINGLE PORTAL OF ENTRY AND EXIT PRINCIPLE IN RENDERING MENTAL HEALTH SERVICES, passes its second reading by electronic vote (107-0).

Representative Blue objects to the third reading. The bill remains on the Calendar.

Committee Substitute for H. B. 18, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM AMOUNT OF THE BOND REQUIRED OF DISTRIBUTORS OF MOTOR FUEL AND SUPPLIERS OF SPECIAL FUEL, TO REQUIRE PERSONS WHO ARE BOTH DISTRIBUTORS AND SUPPLIERS TO FILE A BOND SUFFICIENT TO COVER BOTH LIABILITIES: AND TO IMPOSE PERSONAL LIABILITY UPON RESPONSIBLE CORPORATE OFFICERS, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 247, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN TOWNSHIPS TO VOTE ON ALCOHOLIC BEVERAGES SALES AND TO ALLOW OFF-PREMISES UNFORTIFIED WINE SALES IN TOWNSHIPS THAT HAVE VOTED TO PERMIT THE SALE OF MIXED BEVERAGES, passes its second reading, by electronic vote (90-14), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 155, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE TAKING OF WILD ANIMALS WITH BAIT.

On motion of Representative C. Hughes, Committee Amendment No. 1 is adopted.

Representative C. Hughes offers Amendment No. 2 which is adopted. This amendment changes the title.

Representative Lancaster offers Amendment No. 3 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (110-1), and remains on the Calendar.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
March 14, 1983

Mr. Speaker:

Pursuant to your message that the House of Representatives fails to concur in the

Senate Committee Substitute for H. B. 109, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE WILDLIFE PRESERVE AND BIRD SANCTUARY IN ARROWHEAD BEACH SUBDIVISION, CHOWAN COUNTY, and requests conferees, the President appoints Senators Joe Thomas, Melvin Daniels, and William Redman on part of the Senate to confer with a like committee on the part of the House to the end that the differences between the two Bodies may be resolved.

Respectfully,
S/ Sylvia Fink
Principal Clerk

On motion of Representative Hunt, seconded by Representative Black, the House adjourns to reconvene March 15, 1983 at 1:30 p.m.

FORTY-FIFTH DAY

House of Representatives
Tuesday, March 15, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Hauser.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of March 14 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Brennan, Bob Etheridge, Hightower, Seymour, and Warren for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Church for the Committee on State Government:

S. B. 47, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF DEPARTMENTAL HEADS TO ADOPT RULES AND POLICIES, with a favorable report.

S. B. 49, A BILL TO BE ENTITLED AN ACT RELATING TO THE INITIAL APPOINTMENT OF NOTARIES PUBLIC, with a favorable report.

By Representative B. Woodard for the Committee on Health:

H. B. 374, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR VIOLATING THE PUBLIC HEALTH LAW, with a favorable report.

By Representative Miller for the Committee on Judiciary No. 1:

S. B. 42, A BILL TO BE ENTITLED AN ACT SHORTENING THE PERIOD FOR REVOCATION OF THE NATURAL PARENT'S CONSENT TO AN ADOPTION, with a favorable report, as amended.

By Representative Quinn for the Committee on Finance:

H. B. 362, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 75A-5 WITH RESPECT TO TRANSFER OF MOTORBOAT REGISTRATION, with a favorable report.

H. B. 363, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE WILDLIFE RESOURCES COMMISSION TO CONDUCT MANAGED HUNTS ON GAME LANDS AND TO CHARGE FEES FOR PROCESSING APPLICATIONS AND USE OF RELATED FACILITIES, with a favorable report.

By Representative Foster for the Committee on Education:

H. B. 125, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CHAPEL HILL - CARRBORO BOARD OF EDUCATION TO PAY ITS EMPLOYEES ON THE LAST WORKING DAY OF EACH MONTH, with a favorable report, as amended.

By Representative Colton for the Committee on Cultural Resources:

H. B. 387, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE YMI CULTURAL CENTER IN ASHEVILLE, NORTH CAROLINA, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H. B. 380, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE RESTORATION OF THE KING-BAZEMORE HOUSE LOCATED IN WINDSOR, BERTIE COUNTY, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H. B. 139, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE HOTEL FREEMAN (PEARL) HISTORICAL SITE IN WINDSOR, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Barnes, Colton, Easterling, Kennedy, and Roberts:

H. B. 432, A BILL TO BE ENTITLED AN ACT TO CLARIFY A MARRIED WOMAN'S DOMICILE FOR TAX PURPOSES, is referred to the Committee on Judiciary No. 1.

By Representative Clark:

H. B. 433, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A PARTITION OF THE REAL PROPERTY OF AN ABANDONED INCOMPETENT SPOUSE OWNED BY THE INCOMPETENT SPOUSE AND THE ABANDONING SPOUSE AS TENANTS BY THE ENTIRETIES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary No. 2.

By Representative Clark:

H. B. 434, A BILL TO BE ENTITLED AN ACT TO PROVIDE A STATUTORY SHORT FORM POWER OF ATTORNEY AND A DURABLE POWER OF ATTORNEY STATUTE AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary No. 2.

By Representatives Clark and Roberts:

H. B. 435, A BILL TO BE ENTITLED AN ACT TO REVISE THE STATUTES RELATING TO A SURVIVING SPOUSE'S RIGHT TO DISSENT FROM THE WILL OF THE DECEASED SPOUSE AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary No. 2.

By Representative Clark:

H.B. 436, A BILL TO BE ENTITLED AN ACT TO REVISE G. S. 1A-1, RULE 4(j1), G. S. 1-597 AND G. S. 1-598, RELATING TO SERVICE OF PROCESS BY NEWSPAPER PUBLICATION IN ORDER TO INCORPORATE COURT MANDATED REQUIREMENTS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary No. 2.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 192, AN ACT TO CLARIFY THE AGGRAVATING FACTOR REGARDING PECUNIARY GAIN UNDER THE FAIR SENTENCING ACT.

H. B. 309, AN ACT TO INCREASE THE PENALTIES FOR VIOLATING ORDINANCES OF THE CITY OF CHARLOTTE.

CALENDAR

Action is taken on the following;

H. B. 211, A BILL TO BE ENTITLED AN ACT TO AMEND THE NURSING HOME ADMINISTRATOR ACT.

On motion of Representative Church, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 327, A BILL TO BE ENTITLED AN ACT TO INCLUDE CERTAIN COMPUTER PROGRAMS IN THE DEFINITION OF TANGIBLE PERSONAL PROPERTY UNDER THE SALES AND USE TAX PROVISIONS.

On motion of Representative Lilley, consideration of the bill is postponed until March 17, 1983.

Committee Substitute for H. B. 118, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE USE OF THE SINGLE PORTAL OF ENTRY AND EXIT PRINCIPLE IN RENDERING MENTAL HEALTH SERVICES.

On motion of Representative Barker, consideration of the bill is postponed until March 17, 1983.

S. B. 56, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PROPERTY OWNER PARTICIPATION IN THE COSTS OF ROAD MAINTENANCE, IMPROVEMENTS, ADDITONS AND ACQUISITION OF RIGHT-OF-WAY.

Representative Lancaster offers Amendment No. 1 which is adopted by electronic vote (105-0).

The bill, as amended, passes its third reading, by electronic vote (108-0), and is ordered sent to the Senate for concurrence in House amendment.

H. B. 364, A BILL TO BE ENTITLED AN ACT TO REGULATE THE IMPORTATION, TRANSPORTATION AND POSSESSION OF DANGEROUS ANIMALS.

Representative Watkins offers Amnedment No. 2 which is adopted by electronic vote (109-0).

The bill, as amended, passes its third reading, by electronic vote (104-0), and is ordered engrossed and sent to the Senate.

H. B. 155, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE TAKING OF BEAR OVER BAIT.

The bill, as amended, passes its third reading, by electronic vote (108-0), and is ordered engrossed and sent to the Senate.

House Committee Substitute for S. B. 18, A BILL TO BE ENTITLED AN ACT TO AMEND DOMICILIARY HOME COMMUNTIY ADVISORY COMMITTEES.

Representative Diamont offers Amendment No. 1 which is adopted.

Representative Cook offers Amendment No. 2 which is adopted.

Representative Beam offers Amendment No. 3 which is adopted by electronic vote (86-22).

The bill, as amended, passes its second reading by electronic vote (94-18).

Representative Bruce Ethridge objects to the third reading. The bill remains on the Calendar.

Representative Bruce Ethridge withdraws his objection to the third reading.

Representative Fenner objects to the third reading. The bill remains on the Calendar.

Representative Fenner withdraws her objection to the third reading.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

Committee Substitute for H. B. 59, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE APPLICABILITY OF THE GROUP HEALTH INSURANCE CONTINUATION AND CONVERSION LAW AND TO CLARIFY PROVISIONS REGARDING ISSUANCE OF CONVERSION POLICIES, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S. J. R. 108, A JOINT RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO OPPOSE THE PASSAGE OF A FEDERAL TUITION TAX CREDIT BILL.

On motion of Representative Adams, Committee Amendment No. 1 is adopted.

The resolution, as amended, passes its second reading, by electronic vote (101-8), and there being no objection is read a third time.

The resolution, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

Committee Substitute for H. B. 167, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 20 TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO RAISE AND LOWER THE STATUTORY SPEED LIMITS ON THE STATE HIGHWAY SYSTEM WITHIN MUNICIPALITIES HAVING A

NONFUNCTIONING GOVERNMENT, passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 253, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHEN THE FILING DEADLINE FOR CANDIDACY TO TWO OR MORE PUBLIC OFFICES IS THE SAME, A PERSON MAY NOT FILE AS A CANDIDATE FOR MORE THAN ONE OFFICE, passes its second reading, by electronic vote (105-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

On motion of Representative Hunt, seconded by Representative DeVane, the House adjourns to reconvene March 16, 1983 at 1:30 p.m.

FORTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, March 16, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Dr. William F. Long, Mocksville, North Carolina.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of March 15 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Auman, Barbee, Church, Hightower, Mauney, and Seymour for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Lilley for the Committee on Local Government No. 1:

H. B. 30, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE OFFICE OF CORONER IN MOORE COUNTY SUBJECT TO A REFERENDUM, with an indefinite postponement report.

H. B. 92, A BILL TO BE ENTITLED AN ACT TO ALLOW THE NEWTON-CONOVER AND THE CATAWBA COUNTY SCHOOL UNIT BOARDS OF EDUCATION TO PAY THEIR TEN-MONTH PERSONNEL ON OR BEFORE THE FIFTEENTH DAY OF EACH MONTH, with a favorable report, as amended.

H. B. 365, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF NEW BERN TO ENGAGE IN CERTAIN COMMUNITY DEVELOPMENT ACTIVITIES, with a favorable report.

On motion of Representative Lilley, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 369, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PERMITS FOR PYROTECHNIC DISPLAYS WITHIN INCORPORATED MUNICIPALITIES IN CATAWBA COUNTY SHALL BE GRANTED BY THE CITY COUNCIL INSTEAD OF THE COUNTY COMMISSIONERS, AND TO PROVIDE THAT THE COUNTY COMMISSIONERS MAY DELEGATE THEIR PERMIT-GRANTING POWERS RELATING TO PYROTECHNIC DISPLAYS AND SALES OF EXPLOSIVES, with a favorable report, as amended.

H. B. 378, A BILL TO BE ENTITLED AN ACT VALIDATING CERTAIN ASSESSMENTS OF THE CITY OF ELIZABETH CITY, with a favorable report.

H. B. 395, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF DOBBINS HEIGHTS IN RICHMOND COUNTY, with a favorable report, as amended.

S. B. 95, A BILL TO BE ENTITLED AN ACT TO ALLOW THE MONTGOMERY COUNTY BOARD OF EDUCATION TO CONVEY CERTAIN LANDS AT PRIVATE SALE TO THE CANDOR LIONS CLUB, with a favorable report.

S. B. 138, A BILL TO BE ENTITLED AN ACT TO ALLOW THE SHERIFF AND DEPUTY SHERIFFS OF CARTERET COUNTY TO PURCHASE AUTOMOBILES FROM STATE SURPLUS, with a favorable report.

By Representative Barker for the Committee on Mental Health:

H. B. 124, A BILL TO BE ENTITLED AN ACT TO EXPAND THE USE OF OUTPATIENT INVOLUNTARY COMMITMENTS FOR THE MENTALLY ILL, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary No. 3.

H. B. 326, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE STATE BOARD OF COMMUNITY COLLEGES TO PROVIDE EDUCATION AND TRAINING FOR THE MENTALLY RETARDED ADULT POPULATION, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

By Representative Watkins for the Committee on Appropriations:

Committee Substitute for H. B. 1, A BILL TO BE ENTITLED AN ACT TO PROVIDE SAFE ROADS BY REQUIRING MANDATORY JAIL TERMS FOR GROSSLY AGGRAVATED DRUNKEN DRIVERS, PROVIDING AN EFFECTIVE DETERRENT TO REDUCE THE INCIDENCE OF IMPAIRED DRIVING, AND CLARIFYING THE STATUTES RELATED TO DRINKING AND DRIVING, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Judiciary No. 3.

On motion of Representative Watkins, Committee Amendment No. 1 is adopted.

On motion of Representative Watkins, the bill is ordered engrossed and re-referred to the Committee on Judiciary No. 3.

By Representative Lutz for the Committee on Local Government No. 2:

H. B. 397, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE REQUIREMENT THAT THE CITY OF ASHEVILLE PUBLISH ALL ORDINANCES IN FULL, with a favorable report.

H. B. 399, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE FEE FOR GUN PERMITS IN MECKLENBURG COUNTY SHALL BE GOVERNED BY GENERAL LAW, with a favorable report.

H. B. 400, A BILL TO BE ENTITLED AN ACT TO RESTRICT THE UNITED STATES GOVERNMENT'S ABILITY TO FORCE MECKLENBURG COUNTY TO HOUSE FEDERAL PRISONERS IN THE MECKLENBURG COUNTY JAIL WITHOUT ADEQUATE FINANCIAL COMPENSATION AND SPACE CONSIDERATION, with a favorable report.

S. B. 137, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF HICKORY TO CONVEY A PARCEL OF LAND AT PRIVATE SALE TO THE HICKORY MUSEUM OF ART, INC., AND TO VALIDATE A CONVEYANCE BY THE BOARD OF EDUCATION OF THE HICKORY ADMINISTRATIVE SCHOOL UNIT, with a favorable report.

By Representative Brannan for the Committee on Housing:

H. B. 265, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA HOUSING COMMISSION, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Appropriations.

H. B. 271, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCALITIES TO LEVY AD VALOREM TAXES FOR HOUSING PROGRAMS, with a favorable report.

On motion of Representative Brannan, the bill is re-referred to the Committee on Finance.

H. B. 277, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCALITIES TO SPEND SALES TAX REVENUE ON HOUSING, with a favorable report.

By Representative Evans for the Committee on Banks and Thrift Institutions:

H. B. 336, A BILL TO BE ENTITLED AN ACT TO REGAIN THE STATE'S AUTHORITY OVER INTEREST LAWS, AND TO MAKE APPROPRIATE CHANGES IN THE STATE'S INTEREST LAWS, with an unfavorable report as to bill, favorable as to committee substitute bill.

On motion of Representative Adams, the rules are suspended and the substitute bill is placed on the Calendar for March 17, 1983. The original bill is placed on the Unfavorable Calendar.

On motion of Representative Quinn, H. B,. 186, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 110 OF THE GENERAL STATUTES TO ESTABLISH PROCEDURES FOR THE PROVISION OF NONRECIPIENT SERVICES AS REQUIRED BY FEDERAL LAW, is withdrawn from the Committee on Finance and is re-referred to the Committee on Human Resources.

On motion of Representative Quinn, H. B. 259, A BILL TO BE ENTITLED AN ACT TO SPECIFY THAT REVENUE FROM THE PRIVILEGE LICENSE TAX ON DAY-CARE FACILITIES BE USED FOR A STATEWIDE INFORMATION SYSTEM ON DAY CARE, is withdrawn from the Committee on Finance and is re-referred to the Committee on Human Resources.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Quinn, Hudson, Slaughter, and Thomas:

H. B. 437, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE FILING PERIOD FOR CABARRUS COUNTY BOARD OF EDUCATION SHALL BE THE SAME AS FOR COUNTY OFFICERS GENERALLY, is referred to the Committee on Local government No. 1.

By Representatives Hayden, Adams, Anderson, Ballance, Barnes, Beall, Beard, Berry, Black, Blue, Brannan, Church, Colton, Cook, N. J. Crawford, Diamont, Edwards, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Foster, Gentry, Greenwood, Hackney, Helms, James, Jeralds, Jones, Lambeth, Lancaster, McDowell, Matthews, Miller, Nash, Nesbitt, Pulley, Quinn, Slaughter, Spaulding, Stamey, Thomas, Tyson, Varner, and Warren:

H. B. 438, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES AND CITIES TO MANAGE THE HEIGHT OF BUILDINGS AND STRUCTURES ON MOUNTAIN RIDGES, is referred to the Committee on Water and Air Resources.

By Representatives Roberts, Beam, Bumgardner, and Mauney:

H. B. 439, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AS TO THE CITY OF GASTONIA, MEMBERS OF THE CITY COUNCIL EXCUSED FROM VOTING SHALL NOT BE INCLUDED IN DETERMINING THE RESULTS OF A VOTE ON A ZONING PROTEST PETITION, is referred to the Committee on Local Government No. 2.

By Representative B. Woodard:

H. B. 440, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE NORTH CAROLINA PHARMACY PRACTICE ACT, is referred to the Committee on State Government.

By Representatives Matthews, Barbee, Fenner, and Mavretic:

H. B. 441, A BILL TO BE ENTITLED AN ACT RELATED TO ZONING BY THE CITY OF ROCKY MOUNT, is referred to the Committee on Local Government No. 2.

By Representative Miller:

H. B. 442, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE BOARD OF LAW EXAMINERS' AUTHORITY REGARDING FINGERPRINTS, is referred to the Committee on Judiciary No. 1.

By Representatives Enloe, Beall, Hayden, and McAlister:

H. B. 443, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE REAL PROPERTY MARKETABLE TITLE ACT APPLIES TO MINERAL RIGHTS, AND THAT MINERAL RIGHTS WHICH ARE NOT LISTED FOR TAXATION ARE NOT EFFECTIVE AGAINST THE SURFACE OWNER OF THE LAND, is referred to the Committee on Water and Air Resources.

By Representatives Hayden, Anderson, Barnes, Chapin, Church, N. J. Crawford, Diamont, Fenner, Fletcher, Fussell, Gentry, Gillam, Greenwood, Lancaster, Lilley, McAlister, Miller, Stamey, Tennille, and Thomas:

H. B. 444, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SPECIAL LICENSES FOR STREET RODS, is referred to the Committee on Highway Safety.

By Representatives Hayden, Anderson, Barnes, Chapin, Church, N. J. Crawford, Diamont, Fenner, Fletcher, Fussell, Gentry, Gillam, Greenwood, C. Hughes, Lambeth, Lancaster, McAlister, and Thomas:

H. B. 445, A BILL TO BE ENTITLED AN ACT TO REQUIRE LIGHTED HEADLAMPS ON MOTOR VEHICLES WHEN THE WINDSHIELD WIPERS ARE ON, is referred to the Committee on Highway Safety.

By Representative Huskins:

H. B. 446, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO MITCHELL COMMUNITY COLLEGE, is referred to the Committee on Appropriations.

By Representative Blue:

H. B. 447, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE JURY SELECTION PROCEEDINGS TO BE CONDUCTED IN THE COUNTY OF RESIDENCE OF THE JURORS, is referred to the Committee on Courts and Administration of Justice.

By Representatives Hunter, Blue, Helms, Musselwhite, and Wicker:

H. B. 448, A BILL TO BE ENTITLED AN ACT TO AMEND SERVICE OF PROCESS IN SUMMARY EJECTMENT AND SMALL CLAIMS CASES, is referred to the Committee on Judiciary No. 4.

By Representative Hunter:

H. B. 449, A BILL TO BE ENTITLED AN ACT TO PERMIT COUNTIES TO DISPOSE OF PROPERTY AND LIMIT THE USES THAT MAY BE MADE OF THE PROPERTY, is referred to the Committee on Local Government No. 2.

By Representatives Holt and McDowell:

H. B. 450, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE TESTATORS TO PROVIDE FOR THE CREMATION OF THEIR BODIES AFTER DEATH BY APPROPRIATE TESTAMENTARY DECLARATION IN THEIR LAST WILL AND TESTAMENT, is referred to the Committee on Judiciary No. 3.

By Representative Holt:

H. B. 451, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE PUBLICATION OF SUMMARIES OF PROPOSED CONSTITUTIONAL AMENDMENTS, is referred to the Committee on Constitutional Amendments.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H. B. 217, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF WINDSOR TO COLLECT ON MOTOR VEHICLES A TAX OF NOT MORE THAN TWO DOLLARS, is returned for concurrence in Senate amendment.

On motion of Representative Gillam, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Gillam, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 119, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 20-16.1 RELATING TO MANDATORY SUSPENSION OF DRIVER'S LICENSE, is returned for concurrence in Senate amendment and is placed on the Calendar for March 17, 1983.

S. B. 110, A BILL TO BE ENTITLED AN ACT TO PERMIT THE STATE BOARD OF ELECTIONS TO ADOPT THE FINDINGS OF A COUNTY BOARD OF ELECTIONS AND ORDER A NEW ELECTION WITHOUT DUPLICATING THE PUBLIC HEARING HELD BY THE COUNTY BOARD, is read the first time and is referred to the Committee on Election Laws.

Committee Substitute for S. B. 117, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MEMBERSHIP OF THE STATE BANKING COMMISSION, is read the first time and is referred to the Committee on Banks and Thrift Institutions.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 211, AN ACT TO AMEND THE NURSING HOME ADMINISTRATOR ACT.

CALENDAR

Action is taken on the following:

H. B. 125, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CHAPEL HILL–CARRBORO BOARD OF EDUCATION TO PAY ITS EMPLOYEES ON THE LAST WORKING DAY OF EACH MONTH.

On motion of Representative Barnes, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 362, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 75A-5 WITH RESPECT TO TRANSFER OF MOTORBOAT REGISTRATION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Redding, Rhodes, Roberts, Robinson, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Womble, B. Woodard, C. Woodard, and Wright — 111.

Voting in the negative: None.

Excused absences: Representative Auman, Hightower, Mauney, and Seymour — 4.

H. B. 363, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE WILDLIFE RESOURCES COMMISSION TO CONDUCT MANAGED HUNTS ON GAME LANDS AND TO CHARGE FEES FOR PROCESSING APPLICATIONS AND USE OF RELATED FACILITIES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Allran, Anderson, Ballance, Barbee, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Redding, Rhodes, Roberts, Robinson, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Womble, B. Woodard, C. Woodard, and Wright — 106.

Voting in the negative: Representative Barker.

Excused absences: Representatives Auman, Hightower, Mauney, and Seymour — 4.

Committee Substitute for S. B. 144, A BILL TO BE ENTITLED AN ACT TO PROMOTE FAIR COMMERCIAL PRACTICES IN THE WHOLESALE WINE INDUSTRY.

Representative Nesbitt offers Amendment No. 9 which is adopted by electronic vote (103-6).

Representative Nesbitt offers Amendment No. 10 which is adopted by electronic vote (114-1).

Representative Adams offers Amendment No. 11 which is adopted by electronic vote (111-1).

Representative Lancaster offers Amendment No. 12 which fails by electronic vote (43-68).

Representative James moves that the bill be re-referred to a Judiciary Committee.

On motion of Representative Nesbitt, seconded by Representative Wicker, Representative James' motion to recommit is tabled by electronic vote (63-48).

Representative Nesbitt calls the previous question on the passage of the bill and the call is sustained by electronic vote (98-12).

Representative Holt calls for the "ayes" and "noes", and the call is sustained.

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House amendments, by Special Message.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Ballance, Barbee, Barker, Barnes, Beall, Beam, Black, Blue, Brannan, Brennan, Brown, Brubaker, Bumgardner, Childress, Church, Coble, Cook, J. W. Crawford, N. J. Crawford, DeVane, Diamont, Easterling, Economos, Enloe, Bob Etheridge, Bruce Ethridge,

Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Greenwood, Hackney, Hauser, Hayden, Helms, C. Hughes, Hunt, Hunter, James, Jeralds, Jones, Keesee, Lacey, Lee, Ligon, Lilley, Lutz, McAlister, Matthews, Mavretic, Murphy, Musselwhite, Nash, Nesbitt, Owens, Pool, Poovey, Quinn, Redding, Robinson, Slaughter, Spoon, Stamey, Tyndall, Tyson, Warren, Watkins, Wicker, B. Woodard, and C. Woodard — 75.

Voting in the negative: Representatives Beard, Berry, Brawley, Burnley, Chapin, Clark, Cochrane, Colton, Edwards, Evans, Fulcher, Gist, Grimsley, Hasty, Holmes, Holt, Hudson, J. Hughes, Huskins, Jarrell, Jordan, Kennedy, Lambeth, Lancaster, Locks, McDowell, Miller, Payne, Pulley, Rhodes, Roberts, Spaulding, Tennille, Thomas, Varner, Womble, and Wright — 37.

Excused absences: Representatives Auman, Hightower, Mauney, and Seymour — 4.

S. B. 47, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF DEPARTMENTAL HEADS TO ADOPT RULES AND POLICIES, passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 49, A BILL TO BE ENTITLED AN ACT RELATING TO THE INITIAL APPOINTMENT OF NOTARIES PUBLIC.

On motion of Representative Watkins, the bill is re-referred to the Committee on Judiciary No. 4 by electronic vote (93-15).

S. B. 42, A BILL TO BE ENTITLED AN ACT SHORTENING THE PERIOD FOR REVOCATION OF THE NATURAL PARENT'S CONSENT TO AN ADOPTION.

On motion of Representative Miller, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (103-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

H. B. 374, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR VIOLATING THE PUBLIC HEALTH LAW, passes its second reading, by electronic vote (92-13), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Helms for the Committee on Courts and Administration of Justice:

H. B. 353, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PART-TIME MAGISTRATES SHALL BE PAID A SALARY PROPORTIONATE TO THAT PAID A FULL-TIME MAGISTRATE HAVING THE SAME RECOGNIZED YEARS OF SERVICE AND EDUCATION AS THE PART-TIME MAGISTRATE, with a favorable report, as amended.

H. B. 233, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DELEGATION OF A MAGISTRATE AS ADMINISTRATIVE MAGISTRATE, with an unfavorable report as to bill, favorable as to committee substitute bill.

On motion of Representative Helms, the rules are suspended and the substitute bill is placed on the Calendar for March 22, 1983. The original bill is placed on the Unfavorable Calendar.

On motion of Representative Adams, S. J. R. 149, A JOINT RESOLUTION DIRECTING THE OFFICE OF STATE BUDGET AND MANAGEMENT TO PREPARE THE STATE BUDGET TO REFLECT THE COSTS OF THE STATE'S SHARE OF LOCALLY OPERATED SERVICE PROGRAMS, is withdrawn from the Committee on Rules and Operation of the House and is re-referred to the Committee on Appropriations.

On motion of Representative Hunt, seconded by Representative Fussell, the House adjourns to reconvene March 17, 1983 at 1:30 p.m.

FORTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Thursday, March 17, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend Phil Billings, Harrells, North Carolina.

Representative Quinn, for the Committee on Rules and Operation of the House, reports the Journal of March 16 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Auman, Evans, Hackney, Hightower, Hunt, Murphy, Rhodes, and Seymour for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Quinn for the Committee on Finance:

H. B. 185, A BILL TO BE ENTITLED AN ACT TO PROVIDE ECONOMIC EXPANSION IN THE STATE OF NORTH CAROLINA BY ALLOWING A PARTIAL STATE INCOME TAX CREDIT FOR THE AMOUNT OF AD VALOREM TAXES PAID ON INVENTORY AND BY REQUIRING CERTAIN CORPORATIONS TO ESTIMATE THEIR STATE INCOME TAX LIABILITY AND PAY THE ESTIMATED TAX IN INSTALLMENTS, with a favorable report, as amended.

On motion of Representative Quinn, the bill is placed on the Calendar for March 22, 1983.

H. B. 260, A BILL TO BE ENTITLED AN ACT TO EXCLUDE FROM GROSS INCOME AMOUNTS PAID BY AN EMPLOYER FOR DEPENDENT CARE ASSISTANCE PROVIDED FOR THE BENEFIT OF THE EMPLOYEE, with a favorable report.

H. B. 428, A BILL TO BE ENTITLED AN ACT TO PERMIT ALL INCORPORATED CITIES AND TOWNS TO LEVY AUTO TAXES OF NOT MORE THAN FIVE DOLLARS, with a favorable report, as amended.

By Representative Bruce Ethridge for the Committee on Natural and Economic Resources:

H. B. 221, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COASTAL RESOURCES COMMISSION TO ISSUE GENERAL PERMITS UNDER THE COASTAL AREA MANAGEMENT ACT AND UNDER THE DREDGE AND FILL LAW, with a favorable report.

H. B. 227, A BILL TO BE ENTITLED AN ACT TO INCLUDE ESTUARINE WATER BEACHES IN THE BEACH ACCESS PROGRAM, with a favorable report.

H. B. 229, A BILL TO BE ENTITLED AN ACT TO DECREASE THE TIME ALLOTTED FOR THE CONSIDERATION OF PERMITS UNDER THE COASTAL AREA MANAGEMENT ACT, with a favorable report.

H. B. 231, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ISSUANCE OF SPECIAL EMERGENCY PERMITS UNDER THE COASTAL AREA MANAGEMENT ACT, with a favorable report.

By Representative Brennan for the Committee on Human Resources:

H. B. 186, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 110 OF THE GENERAL STATUTES TO ESTABLISH PROCEDURES FOR THE PROVISION OF NONRECIPIENT SERVICES AS REQUIRED BY FEDERAL LAW, with an unfavorable report as to bill, favorable as to committee substitute bill, and recommendation that the bill be re-referred to the Committee on Finance.

The substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H. B. 259, A BILL TO BE ENTITLED AN ACT TO SPECIFY THAT REVENUE FROM THE PRIVILEGE LICENSE TAX ON DAY-CARE FACILITIES BE USED FOR A STATEWIDE INFORMATION SYSTEM ON DAY CARE, with an unfavorable report as to bill, favorable as to committee substitute bill, and recommendation that the substitute bill be re-referred to the Committee on Finance.

The substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Lancaster for the Committee on Judiciary No. 3:

H. B. 407, A BILL TO BE ENTITLED AN ACT TO AMEND THE JUVENILE CODE, with a favorable report, as amended.

H. B. 411, A BILL TO BE ENTITLED AN ACT TO ALLOW WITNESS FEES TO BE PAID IN JUVENILE PROCEEDINGS, with an unfavorable report as a bill, favorable as to committee substitute bill, and recommendation that the substitute bill be re-referred to the Committee on Appropriations.

The substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

S. B. 31, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE TERMINATION OF PARENTAL RIGHTS STATUTE, with a favorable report, as amended.

By Representative Lambeth for the Committee on Wildlife Resources:

H. B. 390, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE WILDLIFE PRESERVE AND BIRD SANCTUARY IN CAPE COLONY SUBDIVISION, CHOWAN COUNTY, with a favorable report, as amended.

By Representative Miller for the Committee on Judiciary No. 1:

H. B. 66, A BILL TO BE ENTITLED AN ACT TO REVISE AND SIMPLIFY G. S. 8-57 REGARDING THE TESTIMONY OF SPOUSES IN CRIMINAL ACTIONS, with a favorable report, as amended.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative McDowell:

H. B. 452, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LIMITED EXPANSION OF THE PRISON ENTERPRISE LAUNDRY OPERATIONS, is referred to the Committee on Corrections.

By Representatives Adams and Hightower (co-sponsors); Beard, Black, Blue, Cook, and Helms:

H. B. 453, A BILL TO BE ENTITLED AN ACT TO REGULATE PREPAID DENTAL PLANS AND PREPAID DENTAL PLAN ORGANIZATIONS, is referred to the Committee on Insurance.

By Representatives Brawley, Cochrane, and Huskins:

H. B. 454, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF TROUTMAN TO APPOINT A TOWN ADMINISTRATOR, is referred to the Committee on Local Government No. 2.

By Representatives Hunter, Beam, Blue, Enloe, Bob Etheridge, Helms, C. Hughes, Kennedy, Musselwhite, Tennille, and Wicker:

H. B. 455, A BILL TO BE ENTITLED AN ACT TO ESTABLISH UNIFORM REGULAR AND SPECIAL CONDITIONS OF PROBATION. is referred to the Committee on Courts and Administration of Justice.

By Representatives Hunter, Burnley, Coble, Bob Etheridge, C. Hughes, Jarrell, Keesee, and Seymour:

H. B. 456, A BILL TO BE ENTITLED AN ACT TO REINSTATE PORTIONS OF THE PREVIOUS PROVISIONS OF LAW REGARDING THE TREATMENT OF REEMPLOYED RETIREES IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM AND THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 31, AN ACT TO REPEAL SECTION 2 OF CHAPTER 1399 OF THE 1981 SESSION LAWS.

H. B. 264, AN ACT TO REQUIRE FORFEITURE OF CONVEYANCES USED IN THE COMMISSION OF A ROBBERY.

H. B. 217, AN ACT TO ALLOW THE TOWN OF WINDSOR TO COLLECT ON MOTOR VEHICLES A TAX OF NOT MORE THAN TWO DOLLARS.

S. B. 47, AN ACT TO CLARIFY THE AUTHORITY OF DEPARTMENTAL HEADS TO ADOPT RULES AND POLICIES.

CALENDAR

Action is taken on the following:

H. B. 119, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 20-16.1 RELATING TO MANDATORY SUSPENSION OF DRIVER'S LICENSE.

On motion of Representative Wicker, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 378, A BILL TO BE ENTITLED AN ACT VALIDATING CERTAIN ASSESSMENTS OF THE CITY OF ELIZABETH CITY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Barbee, Barker, Barnes, Beall, Beard, Berry, Black, Blue, Bowen, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hasty, Hauser, Hayden, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Huskins, James, Jarrell, Jeralds, Jones, Keesee, Kennedy, Lacey, Lambeth, Lee, Ligon, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Nash, Nesbitt, Owens, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Slaughter, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 96.

Voting in the negative: None.

Excused absences: Representatives Hackney, Hightower, Hunt, Murphy, Rhodes, and Seymour — 6.

H. B. 395, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF DOBBINS HEIGHTS IN RICHMOND COUNTY.

On motion of Representative Lee, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hasty, Hauser, Hayden, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunter, Huskins, Jarrell, Jeralds, Jones, Jordan, Kesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Musselwhite, Nash, Nesbitt, Owens, Pool, Poovey, Quinn, Redding, Roberts, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 100.

Voting in the negative: None.

Excused absences: Representatives Hackney, Hightower, Hunt, Murphy, Rhodes, and Seymour — 6.

H. B. 399, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE FEE FOR GUN PERMITS IN MECKLENBURG COUNTY SHALL BE GOVERNED BY GENERAL LAW, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brawley, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Clark, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hasty, Hauser, Hayden, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunter, Huskins, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Musselwhite, Nash, Nesbitt, Owens, Pool, Poovey, Pulley, Quinn, Redding, Roberts, Robinson, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 100.

Voting in the negative: Representative Burnley.

Excused absences: Representatives Hackney, Hightower, Hunt, Murphy, Rhodes, and Seymour — 6.

H. B. 92, A BILL TO BE ENTITLED AN ACT TO ALLOW THE NEWTON-CONOVER AND THE CATAWBA COUNTY SCHOOL UNIT BOARDS OF EDUCATION TO PAY THEIR TEN-MONTH PERSONNEL ON OR BEFORE THE FIFTEENTH DAY OF EACH MONTH.

On motion of Representative Allran, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 369, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PERMITS FOR PYROTECHNIC DISPLAYS WITHIN INCORPORATED MUNICIPALITIES IN CATAWBA COUNTY SHALL BE GRANTED BY THE CITY COUNCIL INSTEAD OF THE COUNTY COMMISSIONERS, AND TO PROVIDE THAT THE COUNTY COMMISSIONERS MAY DELEGATE THEIR PERMIT-GRANTING POWERS RELATING TO PYROTECHNIC DISPLAYS AND SALES OF EXPLOSIVES.

On motion of Representative Allran, Committee Amendments Nos. 1 and 2 are adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

S. B. 95, A BILL TO BE ENTITLED AN ACT TO ALLOW THE MONTGOMERY COUNTY BOARD OF EDUCATION TO CONVEY CERTAIN LANDS AT PRIVATE SALE TO THE CANDOR LIONS CLUB, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 138, A BILL TO BE ENTITLED AN ACT TO ALLOW THE SHERIFF AND DEPUTY SHERIFFS OF CARTERET COUNTY TO PURCHASE AUTOMOBILES FROM STATE SURPLUS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

H. B. 397, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE REQUIREMENT THAT THE CITY OF ASHEVILLE PUBLISH ALL ORDINANCES IN FULL, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 400, A BILL TO BE ENTITLED AN ACT TO RESTRICT THE UNITED STATES GOVERNMENT'S ABILITY TO FORCE MECKLENBURG COUNTY TO HOUSE FEDERAL PRISONERS IN THE MECKLENBURG COUNTY JAIL WITHOUT ADEQUATE FINANCIAL COMPENSATION AND SPACE CONSIDERATION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S. B. 137, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF HICKORY TO CONVEY A PARCEL OF LAND AT PRIVATE SALE TO THE HICKORY MUSEUM OF ART, INC., AND TO VALIDATE A CONVEYANCE BY THE BOARD OF EDUCATION OF THE HICKORY ADMINISTRATIVE SCHOOL UNIT, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

H. B. 327, A BILL TO BE ENTITLED AN ACT TO INCLUDE CERTAIN COMPUTER PROGRAMS IN THE DEFINITION OF TANGIBLE PERSONAL PROPERTY UNDER THE SALES AND USE TAX PROVISIONS.

On motion of Representative Lilley, consideration of the bill is postponed until March 23, 1983.

H. B. 362, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 75A-5 WITH RESPECT TO TRANSFER OF MOTORBOAT REGISTRATION, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Allran, Anderson, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hasty, Hauser, Hayden, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Miller, Musselwhite, Nash, Owens, Pool,

Poovey, Pulley, Quinn, Redding, Roberts, Robinson, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 101.

Voting in the negative: None.

Excused absences: Representatives Evans, Hackney, Hightower, Hunt, Murphy, Rhodes, and Seymour — 7.

H. B. 363, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE WILDLIFE RESOURCES COMMISSION TO CONDUCT MANAGED HUNTS ON GAME LANDS AND TO CHARGE FEES FOR PROCESSING APPLICATIONS AND USE OF RELATED FACILITIES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Allran, Anderson, Barbee, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hasty, Hauser, Hayden, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Musselwhite, Nash, Owens, Pool, Poovey, Pulley, Quinn, Redding, Roberts, Robinson, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 99.

Voting in the negative: None.

Excused absences: Representatives Auman, Evans, Hackney, Hightower, Hunt, Murphy, Rhodes, and Seymour — 8.

Committee Substitute for H. B. 118, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE USE OF THE SINGLE PORTAL OF ENTRY AND EXIT PRINCIPLE IN RENDERING MENTAL HEALTH SERVICES, passes its third reading, by electronic vote (101-0), and is ordered sent to the Senate.

H. B. 277, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCALITIES TO SPEND SALES TAX REVENUE ON HOUSING.

On motion of Representative Cook, the bill is re-referred to the Committee on Finance.

Committee Substitute for H. B. 336, A BILL TO BE ENTITLED AN ACT TO REGAIN THE STATE'S AUTHORITY OVER INTEREST LAWS, AND TO MAKE APPROPRIATE CHANGES IN THE STATE'S INTEREST LAWS.

On motion of Representative Adams, consideration of the bill is postponed until March 18, 1983.

H. B. 353, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PART-TIME MAGISTRATES SHALL BE PAID A SALARY PROPORTIONATE TO THAT PAID A FULL-TIME MAGISTRATE HAVING THE SAME RECOGNIZED YEARS OF SERVICE AND EDUCATION AS THE PART-TIME MAGISTRATE.

On motion of Representative Helms, Committee Amendment No. 1 is adopted.

On motion of Representative Helms, consideration of the bill is postponed until March 22, 1983.

On motion of Representative Cook, H. B. 265, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA HOUSING COMMISSION, is withdrawn from the Committee on Appropriations and is placed on the Calendar.

On motion of Representative Cook, Committee Amendment Nos. 1 and 2 are adopted.

The Speaker orders the bill engrossed and re-referred to the Committee on Appropriations.

On motion of Representative Quinn, seconded by Representative Miller, the House adjourns to reconvene March 18, 1983 at 11:00 a.m.

FORTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Friday, March 18, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Foster.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of March 17 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Black, Bumgardner, Gillam, Helms, Hightower, Locks, Murphy, Pool, Rhodes, and Seymour for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Brennan for the Committee on Human Resources:

H. B. 307, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE USE OF LOCAL OR FEDERAL FUNDS TO PURCHASE REAL PROPERTY BY THE AREA MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE AUTHORITIES, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for March 22, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Gentry for the Committee on Election Laws:

H. B. 171, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON RECEIVING A SUBSTANTIAL PLURALITY OF THE VOTES IN THE PRIMARY FOR OTHER THAN A COUNTY OR MUNICIPAL OFFICE SHALL BE THE NOMINEE OF THE PARTY, with an unfavorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Bob Etheridge, Helms, C. Hughes, Hunter, and Musselwhite:

H. B. 457, A BILL TO BE ENTITLED AND ACT REQUIRING JUDGES TO CONSIDER THE FUNDS AVAILABLE TO THE STATE IN DETERMINING THE FEES TO BE PAID AN ATTORNEY REPRESENTING AN INDIGENT CRIMINAL DEFENDANT OR OTHER PARTY ENTITLED TO SUCH REPRESENTATION, is referred to the Committee on Courts and Administration of Justice.

By Representatives Bob Etheridge, Blue, Helms, Hunter, and Musselwhite:

H. B. 458, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO REQUIRE THAT DISTRICT ATTORNEYS AND THE ATTORNEY GENERAL BE LICENSED TO PRACTICE LAW, is referred to the Committee on Constitutional Amendments.

By Representatives Beam, Bumgardner, Mauney, Roberts, and C. Woodard:

H. B. 459, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 1266, 1981 SESSION LAWS, WHICH AMENDED THE BOATING SAFETY ACT, TO INCLUDE GASTON COUNTY, is referred to the Committee on Local Government No. 2.

By Representative Brennan:

H. B. 460, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 108A-58 OF THE GENERAL STATUTES TO PROHIBIT EXCLUDED PROPERTY TRANSFER FOR PURPOSES OF MEDICAID ELIGIBILITY, is referred to the Committee on Human Resources.

By Representatives Easterling, Berry, Brennan, Economos, Helms, and Spoon:

H. B. 461, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE MECKLENBURG COUNTY TO CONTRIBUTE ALL OR PART OF A LAW ENFORCEMENT EMPLOYEE'S CONTRIBUTION TO THE LAW ENFORCEMENT OFFICERS BENEFIT AND RETIREMENT FUND, is referred to the Committee on Pensions and Retirement.

By Representatives Easterling, Berry, Black, Brennan, Economos, Helms, and Spoon:

H. B. 462, A BILL TO BE ENTITLED AN ACT TO ALLOW MECKLENBURG COUNTY TO INCLUDE STORM DRAINAGE REPAIRS AND IMPROVEMENTS AND STREET LIGHTING AS SPECIAL ASSESSMENTS, is referred to the Committee on Local Government No. 2.

By Representatives Helms, Berry, Black, Brennan, Easterling, Economos, Foster, and Spoon:

H. B. 463, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE MECKLENBURG COUNTY TO LEVY A TRANSIENT OCCUPANCY TAX, is referred to the Committee on Finance.

By Representative Fletcher:

H. B. 464, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE INTERIOR REHABILITATION OF THE OLD BURKE COUNTY COURTHOUSE IN MORGANTON, NORTH CAROLINA, is referred to the Committee on Cultural Resources.

By Representative Huskins:

H. B. 465, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE REHABILITATION OF THE STATESVILLE CITY HALL IN STATESVILLE, NORTH CAROLINA, is referred to the Committee on Cultural Resources.

By Representative Huskins:

H. B. 466, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF STATESVILLE, is referred to the Committee on Local Government No. 2.

By Representatives Holmes and Brown:

H. B. 467, A BILL TO BE ENTITLED AN ACT TO DEFINE THE CORPORATE LIMITS OF THE TOWN OF EAST BEND IN YADKIN COUNTY, is referred to the Committee on Local Government No. 2.

By Representatives Thomas and Hauser:

H. B. 468, A BILL TO BE ENTITLED AN ACT TO REVISE THE PROCEDURES FOR NOMINATION OF CANDIDATES TO THE STATE BOARD OF COMMUNITY COLLEGES, is referred to the Committee on Higher Education.

By Representatives Miller, Pulley, and Spaulding:

H. B. 469, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MILEAGE ALLOWANCE FOR THE DURHAM COUNTY BOARD OF EDUCATION, is referred to the Committee on Local Government No. 2.

By Representative Huskins, Brawley, Brown, Holmes, and Lacey:

H. B. 470, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO HIDDENITE CENTER PROJECT, is referred to the Committee on Cultural Resources.

By Representatives Hunter, Blue, Enloe, Bob Etheridge, C. Hughes, Tennille, and Wicker:

H. B. 471, A BILL TO BE ENTITLED AN ACT TO REQUIRE A SUPERVISION FEE OF ALL PERSONS PLACED ON PAROLE, is referred to the Committee on Courts and Administration of Justice.

By Representatives Hunter, Blue, Enloe, Bob Etheridge, C. Hughes, and Tennille:

H. B. 472, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DISPOSITION OF CONTRABAND CONFISCATED FROM PRISONERS, is referred to the Committee on Corrections.

By Representatives Musselwhite, Bob Etheridge, Helms, and Hunter:

H. B. 473, A BILL TO BE ENTITLED ANA ACT TO GIVE SALARY CREDIT TO BEGINNING MAGISTRATES WITH LAW ENFORCEMENT OR JUDICIAL DEPARTMENT EXPERIENCE, is referred to the Committee on Courts and Administration of Justice.

By Representatives Musselwhite, Helms, and Hunter:

H. B. 474, A BILL TO BE ENTITLED AN ACT TO ALLOW ATTORNEY'S FEES AWARD IN CERTAIN CIVIL CASES, is referred to the Committee on Courts and Administration of Justice.

By Representatives Musselwhite, Blue, Bob Etheridge, Helms, and Hunter:

H. B. 475, A BILL TO BE ENTITLED AN ACT TO HAVE DISCOVERY PAPERS FILED WITH CLERK ONLY WHEN USED IN PROCEEDING, is referred to the Committee on Courts and Administration of Justice.

By Representatives DeVane, Hasty, and Locks:

H. B. 476, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE ROBESON COUNTY EDUCATIONAL RESOURCE CENTER AND PLANETARIUM, is referred to the Committee on Appropriations.

By Representatives Bruce Ethridge, Payne, and C. Woodard:

H. B. 477, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FINE FOR ILLEGALLY PARKING IN A PROPERLY DESIGNATED HANDICAPPED PARKING SPACE, is referred to the Committee on Transportation.

By Representatives Greenwood, Auman, Beall, Beam, Beard, Brannan, Brennan, Chapin, Childress, Colton, N. J. Crawford, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Foster, Grimsley, Hasty, Hauser, Hayden, Helms, Holt, C. Hughes, Hunter, Jarrell, Jones, Keesee, Kennedy, Locks, Lutz, McAlister, McDowell, Mauney, Miller, Nesbitt, Owens, Rabon, Tennille, Thomas, Tyndall, Varner, Warren, and C. Woodard:

H. B. 478, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DIVISION OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES OF THE DEPARTMENT OF HUMAN RESOURCES FOR THE PURPOSE OF INCREASING ADULT DEVELOPMENTAL ACTIVITY PROGRAMS' MONTHLY SUBSIDY, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H. B. 67, A BILL TO BE ENTITLED AN ACT TO REWRITE AND SIMPLIFY G. S. 14-269 REGARDING CARRYING CONCEALED WEAPONS, is returned for concurrence in Senate amendment and is placed on the Calendar for March 21, 1983.

Senate Committee Substitute No. 2 for S. B. 1, A BILL TO BE ENTITLED AN ACT TO PROVIDE SAFE ROADS BY REQUIRING MANDATORY JAIL TERMS FOR GROSSLY AGGRAVATED DRUNKEN DRIVERS, PROVIDING AN EFFECTIVE DETERRENT TO REDUCE THE INCIDENCE OF IMPAIRED DRIVING, AND CLARIFYING THE STATUTES RELATED TO DRINKING AND DRIVING, is read the first time and is referred to the Committee on Judiciary No. 3.

S. B. 109, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE APPOINTMENT OF SPECIAL LIBRARY REGISTRATION DEPUTIES TO REGISTER VOTERS IN ALL PUBLIC LIBRARIES, is read the first time and is referred to the Committee on Election Laws.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 119, AN ACT TO AMEND G. S. 20-16.1 RELATING TO MANDATORY SUSPENSION OF DRIVER'S LICENSE.

S. B. 95, AN ACT TO ALLOW THE MONTGOMERY COUNTY BOARD OF EDUCATION TO CONVEY CERTAIN LANDS AT PRIVATE SALE TO THE CANDOR LIONS CLUB.

S. B. 137, AN ACT TO AUTHORIZE THE CITY OF HICKORY TO CONVEY A PARCEL OF LAND AT PRIVATE SALE TO THE HICKORY MUSEUM OF ART, INC., AND TO VALIDATE A CONVEYANCE BY THE BOARD OF EDUCATION OF THE HICKORY ADMINISTRATIVE SCHOOL UNIT.

S. B. 138, AN ACT TO ALLOW THE SHERIFF AND DEPUTY SHERIFFS OF CARTERET COUNTY TO PURCHASE AUTOMOBILES FROM STATE SURPLUS.

CALENDAR

Action is taken on the following:

H. B. 378, A BILL TO BE ENTITLED AN ACT VALIDATING CERTAIN ASSESSMENTS OF THE CITY OF ELIZABETH CITY, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lee, Ligon, Lilley, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Nesbitt, Owens, Payne, Poovey, Pulley, Quinn, Redding, Roberts, Robinson, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 98.

Voting in the negative: None.

Excused absences: Representatives Black, Bumgardner, Gillam, Helms, Hightower, Locks, Murphy, Pool, Rhodes, and Seymour — 10.

H. B. 399, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE FEE FOR GUN PERMITS IN MECKLENBURG COUNTY SHALL BE GOVERNED BY GENERAL LAW, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lee, Ligon, Lilley, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Nesbitt, Owens, Payne, Poovey, Pulley, Quinn, Redding, Roberts, Robinson, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 99.

Voting in the negative: None.

Excused absences: Representatives Black, Bumgardner, Gillam, Helms, Hightower, Locks, Murphy, Pool, Rhodes, and Seymour — 10.

H. B. 395, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF DOBBINS HEIGHTS IN RICHMOND COUNTY.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lee, Ligon, Lilley, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Nesbitt, Owens, Payne, Poovey, Pulley, Quinn, Redding, Roberts, Robinson, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 99.

Voting in the negative: None.

Excused absences: Representatives Black, Bumgardner, Gillam, Helms, Hightower, Locks, Murphy, Pool, Rhodes, and Seymour — 10.

H. B. 390, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE WILDLIFE PRESERVE AND BIRD SANCTUARY IN CAPE COLONY SUBDIVISION, CHOWAN COUNTY.

On motion of Representative James, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 428, A BILL TO BE ENTITLED AN ACT TO PERMIT ALL INCORPORATED CITIES AND TOWNS TO LEVY AUTO TAXES OF NOT MORE THAN FIVE DOLLARS.

On motion of Representative DeVane, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry, Greenwood, Hackney, Hasty, Hauser, Hayden, Holmes, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic,

Nesbitt, Owens, Payne, Poovey, Quinn, Rabon, Roberts, Robinson, Slaughter, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 92.

Voting in the negative: Representatives Barker, Brubaker, Diamont, Gist, Grimsley, Holt, Huskins, Miller, Nash, Pulley, Redding, and Spaulding — 12.

Excused absences: Representatives Black, Bumgardner, Gillam, Helms, Hightower, Locks, Murphy, Pool, Rhodes, and Seymour — 10.

Committee Substitute for H. B. 336, A BILL TO BE ENTITLED AN ACT TO REGAIN THE STATE'S AUTHORITY OVER INTEREST LAWS, AND TO MAKE APPROPRIATE CHANGES IN THE STATE'S INTEREST LAWS.

Representative Adams offers Amendment No. 1 which is adopted.

Representative Cook offers Amendment No. 2 which is adopted.

Representative Gentry offers Amendment No. 3 which fails.

Representative Chapin offers Amendment No. 4.

On motion of Representative Anderson, seconded by Representative Brubaker, Amendment No. 4 is tabled by electronic vote (64-34).

Representative DeVane offers Amendment No. 5.

On motion of Representative Fenner, seconded by Representative Brubaker, Amendment No. 5 is tabled by electronic vote (62-36).

Representative Adams calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its second reading, by electronic vote (92-10), and there being no objection is read a third time.

The bill, as amended, passes its third reading.

On motion of Representative Adams, Rule 43.1 concerning engrossment of bills is suspended and the bill is ordered sent to the Senate, without engrossment, by Special Message.

H. B. 260, A BILL TO BE ENTITLED AN ACT TO EXCLUDE FROM GROSS INCOME AMOUNTS PAID BY AN EMPLOYER FOR DEPENDENT CARE ASSISTANCE PROVIDED FOR THE BENEFIT OF THE EMPLOYEE, passes its second reading, by electronic vote (85-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 221, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COASTAL RESOURCES COMMISSION TO ISSUE GENERAL PERMITS UNDER THE COASTAL AREA MANAGEMENT ACT AND UNDER THE DREDGE AND FILL LAW.

On motion of Representative Evans, consideration of the bill is postponed until March 22, 1983.

H. B. 227, A BILL TO BE ENTITLED AN ACT TO INCLUDE ESTUARINE WATER BEACHES IN THE BEACH ACCESS PROGRAM.

On motion of Representative Evans, consideration of the bill is postponed until March 22, 1983.

H. B. 229, A BILL TO BE ENTITLED AN ACT TO DECREASE THE TIME ALLOTTED FOR THE CONSIDERATION OF PERMITS UNDER THE COASTAL AREA MANAGEMENT ACT.

On motion of Representative Evans, consideration of the bill is postponed until March 22, 1983.

H.B. 231, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ISSUANCE OF SPECIAL EMERGENCY PERMITS UNDER THE COASTAL AREA MANAGMENENT ACT.

On motion of Representative Evans, consideration of the bill is postponed until March 22, 1983.

H. B. 407, A BILL TO BE ENTITLED AN ACT TO AMEND THE JUVENILE CODE.

On motion of Representative Lancaster, Committee Amendment No. 1 is adopted. This amendment changes the title.

The bill, as amended, passes its second reading by electronic vote (87-0).

On motion of Representative Lancaster, the rules are suspended in order that the bill may be read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

S. B. 31, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE TERMINATION OF PARENTAL RIGHTS STATUTE.

On motion of Representative Lancaster, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (86-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

H. B. 66, A BILL TO BE ENTITLED AN ACT TO REVISE AND SIMPLIFY G. S. 8-57 REGARDING TESTIMONY OF SPOUSES IN CRIMINAL ACTIONS.

On motion of Representative Hackney, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading by electronic vote (90-0).

Representative Hackney objects to the third reading. The bill remains on the Calendar.

On motion of Representative Hunt, seconded by Representative Church, the House adjourns to reconvene Monday, March 21, 1983 at 8:00 p.m.

FORTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Monday, March 21, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Lambeth.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of March 18 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Edwards, Helms, Hightower, James, Seymour, Spoon, and Stamey for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives McAlister, Holt, Jordan, and McDowell:

H. B. 479, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE CITY OF REIDSVILLE MAY REDUCE WATER RATES OF SENIOR CITIZENS BY ONE DOLLAR PER MONTH, is referred to the Committee on Local Government No. 1.

By Representatives Bumgardner and Wicker:

H. B. 480, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 20 TO CONFORM VEHICLE WIDTHS ON ALL HIGHWAYS, AND TRUCK TRAILER LENGTHS AND DOUBLE TRUCK TRAILERS ON THE INTERSTATE AND OTHER DESIGNATED HIGHWAYS, TO FEDERAL-AID STANDARDS AND OTHER CHANGES, is referred to the Committee on Transportation.

By Representatives Bumgardner and Wicker:

H. B. 481, A BILL TO BE ENTITLED AN ACT TO AMEND THE MOTOR VEHICLE LAWS IN CHAPTER 20 OF THE GENERAL STATUTES TO CONFORM TRUCK WEIGHTS ON STATE HIGHWAYS TO THE FEDERAL BRIDGE FORMULA AND TO UPDATE THE STATUTE BY MAKING OTHER CHANGES, is referred to the Committee on Transportation.

By Representatives Bumgardner and Wicker:

H. B. 482, A BILL TO BE ENTITLED AN ACT TO COMPLY WITH THE HIGHWAY FEDERAL-AID REQUIREMENTS FOR PROOF OF PAYMENT OF THE FEDERAL TAX BEFORE ISSUING A STATE TRUCK LICENSE, is referred to the Committee on Transportation.

By Representatives Mauney, Beam, Bumgardner, and Roberts:

H. B. 483, A BILL TO BE ENTITLED AN ACT TO ALLOW THE LINCOLN COUNTY BOARD OF EDUCATION TO PAY ITS TEN-MONTH EMPLOYEES ON OR BEFORE THE FIFTEENTH DAY OF EACH MONTH, is referred to the Committee on Education.

By Representative Gentry:

H. B. 484, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE ELECTIONS STATUTES AND TO CERTAIN STATUTES CONCERNING SCHOOL BOARD ELECTIONS, is referred to the Committee on Election Laws.

By Representative Gentry:

H. B. 485, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE SIMULTANEOUS ISSUANCE OF ABSENTEE BALLOTS AND THE APPLICATION FOR

ABSENTEE BALLOTS WHEN A VOTER MAKES A PERSONAL REQUEST PURSUANT TO G. S. 163-226, is referred to the Committee on Election Laws.

By Representatives Quinn, Hudson, Slaughter, and Thomas:

H. B. 486, A BILL TO BE ENTITLED AN ACT TO ALLOW CABARRUS COUNTY TO ESTABLISH VOTING PRECINCTS WITHOUT REGARD TO TOWNSHIP BOUNDARIES, is referred to the Committee on Election Laws.

By Representatives Stamey, Bumgardner, and Fussell:

H. B. 487, A BILL TO BE ENTITLED AN ACT PERTAINING TO NOTIFICATION OF CHANGE OF ADDRESS BY HOLDERS OF MOTOR VEHICLE LEARNERS' PERMITS AND SPECIAL IDENTIFICATION CARDS, is referred to the Committee on Transportation.

By Representatives Barbee, Fenner, Matthews, and Mavretic:

H. B. 488, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A SURVEY OF HISTORICALLY AND ARCHITECTURALLY SIGNIFICANT STRUCTURES IN NASH COUNTY, is referred to the Committee on Cultural Resources.

By Representatives Bruce Ethridge, Hackney, Lancaster, and Miller:

H. B. 489, A BILL TO BE ENTITLED AN ACT TO DEFINE THE CONDITIONS UNDER WHICH CERTAIN BINGO GAMES AND RAFFLES ARE LAWFUL, is referred to the Committee on Judiciary No. 1.

By Representatives Anderson, Barker, Beall, Beard, Blue, Fenner, Hasty, and Holmes:

H. B. 490, A BILL TO BE ENTITLED AN ACT TO PERMIT PAYMENT OF DIVIDENDS BASED ON THE LOSS EXPERIENCE OF INDIVIDUAL POLICYHOLDERS, is referred to the Committee on Insurance.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S. B. 55, A BILL TO BE ENTITLED AN ACT TO SET FEE LIMITS FOR THE BOARD OF NURSING HOME ADMINISTRATORS, is read the first time and is referred to the Committee on State Government.

S. B. 5, A BILL TO BE ENTITLED AN ACT TO REQUIRE A COURT APPEARANCE AT THE TIME AN ADOPTION IS MADE FINAL, is read the first time and is referred to the Committee on Judiciary No. 4.

S. B. 84, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT FUNDS FROM THE NORTH CAROLINA ELECTION CAMPAIGN FUND SHALL BE DISTRIBUTED TO POLITICAL PARTIES ON A PRO RATA BASIS ACCORDING TO PARTY VOTER REGISTRATION, is read the first time and is referred to the Committee on Election Laws.

S. B. 150, A BILL TO BE ENTITLED AN ACT TO PROVIDE SIMPLIFIED PROCEDURES FOR DISPOSAL BY CITIES, COUNTIES, AND SANITARY DISTRICTS OF PERSONAL PROPERTY WITH MINIMAL VALUE, is read the first time and is referred to the Committee on Local Government No. 2.

CALENDAR

Action is taken on the following:

H. B. 67, A BILL TO BE ENTITLED AN ACT TO REWRITE AND SIMPLIFY G. S. 14-269 REGARDING CARRYING CONCEALED WEAPONS.

On motion of Representative Hackney, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 428, A BILL TO BE ENTITLED AN ACT TO PERMIT ALL INCORPORATED CITIES AND TOWNS TO LEVY AUTO TAXES OF NOT MORE THAN FIVE DOLLARS.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Chapin, Childress, Church, Clark, Coble, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Grimsley, Hackney, Hasty, Hauser, Hayden, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, Jarrell, Jeralds, Jones, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Murphy, Musselwhite, Nash, Owens, Payne, Pool, Pulley, Rhodes, Roberts, Tennille, Thomas, Tyndall, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 90.

Voting in the negative: Representatives Brubaker, Cochrane, Holmes, Ligon, Miller, Redding, and Spaulding — 7.

Excused absences: Representatives Edwards, Helms, Hightower, James, Seymour, Spoon, and Stamey — 7.

H. B. 66, A BILL TO BE ENTITLED AN ACT TO REVISE AND SIMPLIFY G. S. 8-57 REGARDING THE TESTIMONY OF SPOUSES IN CRIMINAL ACTIONS.

Representative Kennedy offers Amendment No. 2 which fails by electronic vote (50-55).

Representative Adams offers Amendment No. 3 which is adopted by electronic vote (108-0).

The bill, as amended, passes its third reading, by electronic vote (88-20), and is ordered engrossed and sent to the Senate.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. J. R. 108, A JOINT RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO OPPOSE THE PASSAGE OF A FEDERAL TUITION TAX CREDIT BILL.

H. B. 248, AN ACT TO AMEND THE REGULATORY AUTHORITY OF THE REAL ESTATE LICENSING BOARD AND TO CHANGE THE NAME OF THE BOARD TO THE REAL ESTATE COMMISSION.

H. B. 258, AN ACT TO AMEND THE PRACTICING PSYCHOLOGISTS LICENSING ARTICLE.

S. B. 42, AN ACT SHORTENING THE PERIOD FOR REVOCATION OF THE NATURAL PARENT'S CONSENT TO AN ADOPTION.

S. B. 56, AN ACT TO AUTHORIZE PROPERY OWNER PARTICIPATION IN THE COSTS OF ROAD MAINTENANCE, IMPROVEMENTS, ADDITIONS AND ACQUISITION OF RIGHT-OF-WAY.

S. B. 144, AN ACT TO PROMOTE FAIR COMMERCIAL PRACTICES IN THE WHOLESALE WINE INDUSTRY.

On motion of Representative Hunt, seconded by Representative Nash, the House adjourns to reconvene March 22, 1983 at 1:30 p.m.

FIFTIETH DAY

HOUSE OF REPRESENTATIVES
Tuesday, March 22, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend Donald Mimbs, First Presbyterian Church, Sparta, North Carolina.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of March 21 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Berry, Hightower, C. Hughes, Seymour, and Stamey for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Quinn for the Committee on Finance:

Committee Substitute for H. B. 186, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 110 OF THE GENERAL STATUTES TO ESTABLISH PROCEDURES FOR THE PROVISION OF NONRECIPIENT SERVICES AS REQUIRED BY FEDERAL LAW, with a favorable report.

On motion of Representative Quinn, the bill is re-referred to the Committee on Judiciary No. 4.

H. B. 271, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCALITIES TO LEVY AD VALOREM TAXES FOR HOUSING PROGRAMS, with a favorable report.

H. B. 277, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCALITIES TO SPEND SALES TAX REVENUE ON HOUSING, with a favorable report.

By Representative Thomas for the Committee on Higher Education:

H.B. 468, A BILL TO BE ENTITLED AN ACT TO REVISE THE PROCEDURES

FOR NOMINATION OF CANDIDATES TO THE STATE BOARD OF COMMUNITY COLLEGES, with a favorable report.

By Representative Church for the Committee on State Government:

H. B. 156, A BILL TO BE ENTITLED AN ACT TO RESTORE LANGUAGE REQUIRING LICENSING BOARDS AND ASSOCIATIONS TO PAY FOR HEALTH INSURANCE BENEFITS, with a favorable report.

H. B. 440, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE NORTH CAROLINA PHARMACY PRACTICE ACT, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Finance.

On motion of Representative Church, Committee Amendment No. 1 is adopted and the bill is ordered engrossed and re-referred to the Committee on Finance.

S. B. 118, A BILL TO BE ENTITLED AN ACT TO ALLOW STATE AND LOCAL GOVERNMENTS AND PUBLIC AUTHORITIES TO DEPOSIT PUBLIC MONEYS AT INTEREST IN ANY SAVINGS AND LOAN ASSOCIATION IN THE STATE, AND TO DESIGNATE AS OFFICIAL DEPOSITORIES ONE OR MORE SAVINGS AND LOAN ASSOCIATIONS IN THIS STATE, with a favorable report.

On motion of Representative Church, the bill is re-referred to the Committee on Banks and Thrift Institutions.

By Representative Pulley for the Committee on Judiciary No. 4:

H. B. 143, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF DAY-CARE PLAN, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for March 24, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 351, A BILL TO BE ENTITLED AN ACT TO CHANGE THE POPULATION REQUIREMENT FOR A COUNTY DEPARTMENT OF HUMAN RESOURCES, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for March 24, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative James for the Committee on Agriculture:

H. B. 427, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONDITIONS OF AN ASSESSMENT ON YAM PRODUCERS WHICH MAY BE AUTHORIZED IN A PRODUCERS' REFERENDUM, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Finance.

On motion of Representative James, Committee Amendment No. 1 is adopted and the bill is ordered engrossed and re-referred to the Committee on Finance.

S. B. 131, A BILL TO BE ENTITLED AN ACT CONCERNING BOLL WEEVIL ERADICATION, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

Representative Lambeth sends forth the following Conference Report and moves its adoption.

CONFERENCE REPORT

March 22, 1983

TO: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on Senate Committee Substitute for H. B. 109, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE WILDLIFE PRESERVE AND BIRD SANCTUARY INARROWHEAD BEACH SUBDIVISION, CHOWAN COUNTY, wish to report as follows:

The House concurs in the Senate Committee Substitute for House Bill 109, with the following amendments:

1) on page 1, line 5, by replacing "1-5", with "1 through 5";

2) on page 2, line 23, by replacing the comma with the word "or";

3) on page 3, line 1, by adding a quotation mark at the end of the line.

And the Senate concurs in those amendments.

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 22nd day of March, 1983.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ JOSEPH E. JOHNSON	S/ J. E. LAMBETH
S/ M. R. DANIELS, JR.	S/ VERNON JAMES
S/ WILLIAM W. REDMAN, JR.	S/ CHARLES D. EVANS

The conference Report is adopted, by electronic vote (101-0), and the Senate is so notified by Special Message.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Helms, Adams, Blue, Clark, Cook, Bob Etheridge, Hunter, Miller, Musselwhite, Tennille, and Thomas:

H. B. 491, A BILL TO BE ENTITLED AN ACT TO CLASSIFY MINOR TRAFFIC OFFENSES AS INFRACTIONS AND TO PROVIDE A PROCEDURE FOR THE DISPOSITION OF SUCH INFRACTIONS BY THE COURTS, is referred to the Committee on Courts and Administration of Justice.

By Representatives Helms, Adams, Blue, Bob Etheridge, Hunter, Musselwhite, Tennille, Thomas, and Wicker:

H. B. 492, A BILL TO BE ENTITLED AN ACT TO RAISE FEES PAID TO JURORS, is referred to the Committee on Courts and Administration of Justice.

By Representatives Helms, Adams, Blue, Cook, Bob Etheridge, Hunter, Musselwhite, Tennille, Thomas, and Wicker:

H.B. 493, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE CONSTITUTIONAL AMENDMENT REGARDING APPEAL OF UTILITIES COMMISSION ORDERS, is referred to the Committee on Courts and Administration of Justice.

By Representatives Helms, Adams, Blue, Cook, Bob Etheridge, Hunter, Musselwhite, Tennille, Thomas, and Wicker:

H. B. 494, A BILL TO BE ENTITLED AN ACT TO RAISE COSTS AND FEES IN THE GENERAL COURTS OF JUSTICE, is referred to the Committee on Courts and Administration of Justice.

By Representative Huskins:

H. B. 495, A BILL TO BE ENTITLED AN ACT EXEMPTING FROM THE PROVISIONS OF ARTICLE 12, CHAPTER 160A, OF THE GENERAL STATUTES OF NORTH CAROLINA, THE COUNTY OF IREDELL, AS TO LEASES OR SALES OF REAL ESTATE OWNED BY IT KNOWN AS THE LOWRANCE HOSPITAL PROPERTY AND THE PERSONAL PROPERTY USED FOR THE HOSPITAL AND MEDICAL CARE PURPOSES, is referred to the Committee on Local Government No. 2.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S. B. 153, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA FERTILIZER LAW, is read the first time and is referred to the Committee on Agriculture.

Committee Substitute for S. B. 162, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR COMMUNITY SERVICE AS A CONDITION OF PROBATION FOR LITTERING, is read the first time and is referred to the Committee on Judiciary No. 4.

S. B. 189, A BILL TO BE ENTITLED AN ACT TO MAKE A TECHNICAL CORRECTION IN G. S. 161-22, is read the first time and is referred to the Committee on Judiciary No. 4.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 67, AN ACT TO REWRITE AND SIMPLIFY G. S. 14-269 REGARDING CARRYING CONCEALED WEAPONS.

H. B. 121, AN ACT TO AMEND G. S. 20-16.2 RELATING TO MANDATORY REVOCATION OF LICENSE.

S. B. 18, AN ACT TO AMEND DOMICILIARY HOME COMMUNITY ADVISORY COMMITTEES.

CALENDAR

Action is taken on the following:

H. B. 185, A BILL TO BE ENTITLED AN ACT TO PROVIDE ECONOMIC EXPANSION IN THE STATE OF NORTH CAROLINA BY ALLOWING A PARTIAL STATE INCOME TAX CREDIT FOR THE AMOUNT OF AD VALOREM TAXES

PAID ON INVENTORY AND BY REQUIRING CERTAIN CORPORATIONS TO ESTIMATE THEIR STATE INCOME TAX LIABILITY AND PAY THE ESTIMATED TAX IN INSTALLMENTS.

On motion of Representative Lilley, Committee Amendment No. 1 is adopted.

On motion of Representative Quinn, the bill is ordered engrossed and re-referred to the Committee on Finance.

Committee Substitute for H. B. 233, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DELEGATION OF A MAGISTRATE AS ADMINISTRATIVE MAGISTRATE, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 353, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PART-TIME MAGISTRATES SHALL BE PAID A SALARY PROPORTIONATE TO THAT PAID A FULL-TIME MAGISTRATE HAVING THE SAME RECOGNIZED YEARS OF SERVICE AND EDUCATION AS THE PART-TIME MAGISTRATE.

Representative Helms offers Amendment No. 2 which is adopted.

On motion of Representative Helms, the bill is ordered engrossed and re-referred to the Committee on Appropriations.

H. B. 221, A BILL TO BE ENTITLED AND ACT TO ALLOW THE COASTAL RESOURCES COMMISSION TO ISSUE GENERAL PERMITS UNDER THE COASTAL AREA MANAGEMENT ACT AND UNDER THE DREDGE AND FILL LAW, passes its second reading, by electronic vote (102-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 227, A BILL TO BE ENTITLED AN ACT TO INCLUDE ESTUARINE WATER BEACHES IN THE BEACH ACCESS PROGRAM.

On motion of Representative Evans, the bill is re-referred to the Committee on Appropriations.

H. B. 229, A BILL TO BE ENTITLED AN ACT TO DECREASE THE TIME ALLOTTED FOR THE CONSIDERATION OF PERMITS UNDER THE COASTAL AREA MANAGEMENT ACT, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 231, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ISSUANCE OF SPECIAL EMERGENCY PERMITS UNDER THE COASTAL AREA MANAGEMENT ACT, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 307, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE USE OF LOCAL OR FEDERAL FUNDS TO PURCHASE REAL PROPERTY BY THE AREA MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE AUTHORITIES.

On motion of Representative Brennan, the bill is re-referred to the Committee on Appropriations.

On motion of Representative Hunt, seconded by Representative Nash, the House adjourns to reconvene March 23, 1983 at 1:30 p.m.

FIFTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Wednesday, March 23, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Lutz.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of March 22 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Berry, Hightower, Stamey, and Seymour for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative McDowell for the Committee on Corrections:

H. B. 452, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LIMITED EXPANSION OF THE PRISON ENTERPRISE LAUNDRY OPERATIONS, with a favorable report.

By Representative Lilley for the Committee on Local Government No. 1:

H. B. 348, A BILL TO BE ENTITLED AN ACT TO ADD NEW HANOVER COUNTY TO THE PROVISIONS OF THE GENERAL STATUTES RELATING TO ATTACHMENT OR GARNISHMENT AND LIEN FOR AMBULANCE SERVICE IN CERTAIN COUNTIES, with a favorable report, as amended.

H. B. 405, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF MONROE TO CONVEY TO THE UNITED STATES OR ANY AGENCY THEREOF WITH OR WITHOUT CONSIDERATION, OR TO EXCHANGE WITH THE UNITED STATES OR ANY AGENCY THEREOF FOR OTHER REAL AND/OR PERSONAL PROPERTY CERTAIN REAL PROPERTY OWNED BY THE CITY OF MONROE, with a favorable report, as amended.

H. B. 418, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COUNTY OF CASWELL TO CONVEY A PARCEL OF LAND AT PRIVATE SALE TO THE CHEROKEE COUNCIL OF THE BOY SCOUTS OF AMERICA, INC., with a favorable report.

H. B. 437, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE FILING

PERIOD FOR CABARRUS COUNTY BOARD OF EDUCATION SHALL BE THE SAME AS FOR COUNTY OFFICERS GENERALLY, with a favorable report.

H. B. 479, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE CITY OF REIDSVILLE MAY REDUCE WATER RATES OF SENIOR CITIZENS BY ONE DOLLAR PER MONTH, with a favorable report.

S. B. 132, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ELECTION OF THE CHAIRMAN AND VICE-CHAIRMAN OF THE CUMBERLAND COUNTY BOARD OF EDUCATION, with a favorable report.

By Representative Lancaster for the Committee on Judiciary No. 3:

Committee Substitute No. 2 for S. B. 1, A BILL TO BE ENTITLED AN ACT TO PROVIDE SAFE ROADS BY REQUIRING MANDATORY JAIL TERMS FOR GROSSLY AGGRAVATED DRUNKEN DRIVERS, PROVIDING AN EFFECTIVE DETERRENT TO REDUCE THE INCIDENCE OF IMPAIRED DRIVING, AND CLARIFYING THE STATUTES RELATED TO DRINKING AND DRIVING, with an unfavorable report as to Senate Committee Substitute Bill No. 2, favorable as to House committee substitute bill.

On motion of Representative Lancaster, the House committee substitute bill is placed on the Calendar for March 29, 1983.

The Senate Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

By Representative Colton for the Committee on Cultural Resources:

H. B. 430, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES TO HELP EXPAND NORTH CAROLINA'S STATEWIDE REVOLVING FUND FOR HISTORIC PRESERVATION, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

By Representative Brannan for the Committee on Housing:

H. B. 267, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF NATURAL RESOURCES AND COMMUNITY DEVELOPMENT TO CREATE A TECHNICAL ASSISTANCE FORCE, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H. B. 270, A BILL TO BE ENTITLED AN ACT TO MAKE THE MINIMUM HOUSING STANDARDS APPLY TO MOBILE HOMES, with a favorable report, as amended.

By Representative Helms for the Committee on Courts and Administration of Justice:

Committee Substitute for S. B. 120, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE COURT TO ORDER DIRECT PAYMENT FOR FEES FOR APPOINTED COUNSEL, with an unfavorable report as to Senate committee substitute bill, favorable as to House committee substitute bill.

The House committee substitute bill is placed on the Calendar for March 25, 1983. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Lutz for the Committee on Local Government No. 2:

H. B. 379, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE SHERIFF ISSUE BERTIE COUNTY WEAPON PERMITS, with a favorable report.

H. B. 423, A BILL TO BE ENTITLED AN ACT TO ADD A SPEED RESTRICTION FOR SUBDIVISION STREETS, with a favorable report.

H. B. 424, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM FINE FOR VIOLATION OF MECKLENBURG COUNTY ORDINANCES, with a favorable report.

H. B. 425, A BILL TO BE ENTITLED AN ACT TO ALLOW CITIES AND COUNTIES TO CONTRACT FOR THE OPERATION OF HUMAN RELATIONS, COMMUNITY ACTION AND MANPOWER DEVELOPMENT PROGRAMS, with a favorable report.

H. B. 429, A BILL TO BE ENTITLED AN ACT TO MAKE A TECHNICAL CORRECTION IN A REFERENCE TO A PLAT OF THE COUNTY BOUNDARY BETWEEN TYRRELL AND WASHINGTON COUNTIES, with a favorable report.

H. B. 441, A BILL TO BE ENTITLED AN ACT RELATED TO ZONING BY THE CITY OF ROCKY MOUNT, with a favorable report.

H. B. 449, A BILL TO BE ENTITLED AN ACT TO PERMIT COUNTIES TO DISPOSE OF PROPERTY AND LIMIT THE USES THAT MAY BE MADE OF THE PROPERTY, with a favorable report.

On motion of Representative Lutz, the bill is placed on the Calendar for March 25, 1983.

H. B. 454, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF TROUTMAN TO APPOINT A TOWN ADMINISTRATOR, with a favorable report.

H. B. 467, A BILL TO BE ENTITLED AN ACT TO DEFINE THE CORPORATE LIMITS OF THE TOWN OF EAST BEND IN YADKIN COUNTY, with a favorable report.

H. B. 469, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MILEAGE ALLOWANCE FOR THE DURHAM COUNTY BOARD OF EDUCATION, with a favorable report.

S. B. 166, A BILL TO BE ENTITLED AN ACT TO PERMIT THE TOWN OF BEAUFORT TO DISPOSE OF CERTAIN PROPERTY, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Foster, Black, Brennan, Easterling, and Economos:

H. B. 496, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CHARLOTTE REGIONAL FARMER'S MARKET, is referred to the Committee on Appropriations.

By Representative Allran:

H. B. 497, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 363 OF THE 1969 SESSION LAWS CONCERNING THE SUPPLEMENTAL RETIREMENT FUND FOR FIREMEN IN THE CITY OF NEWTON, is referred to the Committee on Pensions and Retirement.

By Representative Jordan:

H. B. 498, A BILL TO BE ENTITLED AN ACT TO ALLOW RESIDENTS OF ALAMANCE AND ROCKINGHAM COUNTIES TO REQUIRE A REFERENDUM ON ANNEXATION, is referred to the Committee on Local Government No. 1.

By Representative Wright:

H. B. 499, A BILL TO BE ENTITLED AN ACT TO INCREASE MOTOR VEHICLE ACCIDENT REPORTING LIMITS, is referred to the Committee on Highway Safety.

By Representative Black:

H. B. 500, A BILL TO BE ENTITLED AN ACT TO ALLOW CENTRAL PIEDMONT COMMUNITY COLLEGE TO LEASE CERTAIN PROPERTY, is referred to the Committee on Local Government No. 2.

By Representatives Bumgardner, Beam, Mauney, and Roberts:

H. B. 501, A BILL TO BE ENTITLED AN ACT TO CONFORM THE ELECTION REQUIREMENTS FOR THE LINCOLN COUNTY BOARD OF EDUCATION TO THE GENERAL ELECTION LAW, is referred to the Committee on Local Government No. 2.

By Representatives Blue, Adams, Brannan, Cook, Fussell, Musselwhite, Rabon, Slaughter, and Wright:

H. B. 502, A BILL TO BE ENTITLED AN ACT REGARDING EXEMPTIONS FROM PROPERTY TAX FOR ANTI-POLLUTION DEVICES, is referred to the Committee on Finance.

By Representatives Slaughter, Adams, Blue, Colton, N. J. Crawford, Greenwood, Hudson, Lancaster, Lee, Nesbitt, Payne, Quinn, Robinson, Thomas, Watkins, and Wicker:

H. B. 503, A BILL TO BE ENTITLED AN ACT SETTING THE DATE FOR VALUATION OF PROPERTY DIVIDED UNDER EQUITABLE DISTRIBUTION, is referred to the Committee on Judiciary No. 3.

By Representatives Barker, Anderson, and Lilley (by request):

H. B. 504, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM HIGHWAY 306 IN CRAVEN COUNTY, is referred to the Committee on Wildlife Resources.

By Representative Fletcher:

H. B. 505, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF MORGANTON FOR THE PURPOSE OF PERMITTING THE MAYOR TO VOTE ON ALL ISSUES, is referred to the Committee on Local Government No. 1.

By Representatives Lutz and Hunt:

H. B. 506, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF SHELBY TO ESTABLISH, OPERATE AND MAINTAIN A PUBLIC MARKET, is referred to the Committee on Local Government No. 2.

By Representatives Greenwood, Colton, N.J. Crawford, and Nesbitt:

H. B. 507, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE BUNCOMBE SCHOOL CAPITAL FUND COMMISSION, is referred to the Committee on Local Government No. 2.

MESSAGES FROM THE SENATE

The following are recieved from the Senate:

H. B. 190, A BILL TO BE ENTITLED AN ACT TO ALLOW VARIOUS TOWNS TO INCREASE THE TAX LEVY ON MOTOR VEHICLES TO A MAXIMUM OF FIVE DOLLARS, is returned for concurrence in Senate amendments.

On motion of Representative James, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative James, the House concurs in Senate Amendments Nos. 1 and 2.

Amendment No. 3 is ruled to be material and is placed on the Calendar for March 24, 1983 for its second roll call reading for concurrence.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. B. 31, AN ACT TO MAKE AMENDMENTS TO THE TERMINATION OF PARENTAL RIGHTS STATUTE.

CALENDAR

Action is taken on the following:

H. B. 327, A BILL TO BE ENTITLED AN ACT TO INCLUDE CERTAIN COMPUTER PROGRAMS IN THE DEFINITION OF TANGIBLE PERSONAL PROPERTY UNDER THE SALES AND USE TAX PROVISIONS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Helms, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacy, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Slaughter, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 109.

Voting in the negative: None.

Excused absences: Representatives Berry, Hayden, Hightower, Seymour, and Stamey — 5.

H. B. 271, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCALITIES TO

LEVY AD VALOREM TAXES FOR HOUSING PROGRAMS, fails to pass its second reading, by the following vote.

Those voting in the affirmative are: Representatives Adams, Ballance, Barnes, Black, Blue, Brannan, Brennan, Childress, Clark, Colton, Cook, N. J. Crawford, Creecy, Diamont, Easterling, Economos, Edwards, Enloe, Bruce Ethridge, Fenner, Foster, Fulcher, Fussell, Gist, Greenwood, Hackney, Hasty, Hauser, Helms, Holt, Hunt, Hunter, Jeralds, Kennedy, Lambeth, Lancaster, Locks, McDowell, Matthews, Miller, Musselwhite, Nesbitt, Payne, Pulley, Rabon, Spaulding, Spoon, Tennille, Thomas, Varner, and Womble — 51.

Voting in the negative: Representatives Allran, Anderson, Auman, Barbee, Barker, Beall, Beam, Beard, Bowen, Brawley, Brown, Brubaker, Bumgardner, Burnley, Chapin, Church, Coble, Cochrane, J. W. Crawford, DeVane, Bob Etheridge, Evans, Fletcher, Gillam, Grimsley, Holmes, Hudson, C. Hughes, J. Hughes, Huskins, James, Jarrell, Jones, Jordan, Keesee, Lacey, Lee, Ligon, Lilley, Lutz, McAlister, Mauney, Mavretic, Murphy, Nash, Owens, Pool, Poovey, Quinn, Redding, Rhodes, Roberts, Robinson, Slaughter, Tyson, Warren, Watkins, Wicker, B. Woodard, C. Woodard, and Wright — 61.

Excused absences: Representatives Berry, Hayden, Hightower, Seymour, and Stamey — 5.

H. B. 277, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCALITIES TO SPEND SALES TAX REVENUE ON HOUSING.

On motion of Representative Cook, consideration of the bill is postponed until March 24, 1983.

H. B. 468, A BILL TO BE ENTITLED AN ACT TO REVISE THE PROCEDURES FOR NOMINATION OF CANDIDATES TO THE STATE BOARD OF COMMUNITY COLLEGES, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 156, A BILL TO BE ENTITLED AN ACT TO RESTORE LANGUAGE REQUIRING LICENSING BOARDS AND ASSOCIATIONS TO PAY FOR HEALTH INSURANCE BENEFITS, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

On motion of Representative Hunt, seconded by Representative Wicker, the House adjourns to reconvene March 24, 1983 at 1:30 p.m.

FIFTY-SECOND DAY

House of Representatives
Thursday, March 24, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Beard.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of March 23 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Berry, Colton, Gist, Hauser, Hightower, Lancaster, Murphy, Musselwhite, Pulley, Redding, and Seymour for today.

REPORT OF COMMITTEES

The following reports from standing committee are presented:

By Representative Lambeth for the Committee on Wildlife Resources:

H. B. 504, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM HIGHWAY 306 IN CRAVEN COUNTY. with a favorable report.

By Representative Wright for the Committee on Judiciary No. 2:

H. B. 299, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL GOVERNMENTS TO IMPLEMENT AND COMPLY WITH MINORITY OR WOMEN'S BUSINESS ENTERPRISE REQUIREMENTS FOR LOCALLY FUNDED PROJECTS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Appropriations.

On motion of Representative Wright, Committee Amendment No. 1 is adopted and the bill is ordered engrossed and re-referred to the Committee on Appropriations.

By Representative Pulley for the Committee on Judiciary No. 4:

S. B. 5, A BILL TO BE ENTITLED AN ACT TO REQUIRE A COURT APPEARANCE AT THE TIME AN ADOPTION IS MADE FINAL, with an unfavorable report.

By Representative Bumgardner for the Committee on Transportation:

H. B. 482, A BILL TO BE ENTITLED AN ACT TO COMPLY WITH THE HIGHWAY FEDERAL-AID REQUIREMENTS FOR PROOF OF PAYMENT OF THE FEDERAL TAX BEFORE ISSUING A STATE TRUCK LICENSE, with a favorable report.

By Representative Gentry for the Committee on Election Laws:

H. B. 281, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE ELECTION LAWS RELATIVE TO ACCESS TO THE VOTING ENCLOSURE, MAILING OF NOTICES OF CANCELLATION, USE OF TAX SUPPORTED BUILDINGS FOR VOTING, AND COUNTING OF PRIMARY BALLOTS, with a favorable report, as amended.

H. B. 295, A BILL TO BE ENTITLED AN ACT TO PERMIT A REGISTERED VOTER WHO HAS MOVED FROM ONE PRECINCT TO ANOTHER WITHIN THE SAME COUNTY MORE THAN THIRTY DAYS BEFORE AN ELECTION TO RECORD A CHANGE OF ADDRESS ON ELECTION DAY AND VOTE IN THE NEW PRECINCT, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

On motion of Representative Gentry, the substitute bill is placed on the Calendar for March 29, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Hunt for the Committee on Rules and Operation of the House:

H. J. R. 246, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE FEASIBILITY OF TRANSFERRING THE STATE SCHOOLS FOR THE DEAF AND THE GOVERNOR MOREHEAD SCHOOL FOR THE BLIND TO THE DEPARTMENT OF PUBLIC INSTRUCTION, with a favorable report, as amended, and recommendation that the resolution be re-referred to the Committee on Appropriations.

On motion of Representative Hunt, Committee Amendment No. 1 is adopted. This amendment changes the title.

On motion of Representative Hunt, the resolution is ordered engrossed and re-referred to the Committee on Appropriations.

H. J. R. 250, A JOINT RESOLUTION CONCERNING THE LEGISLATIVE OFFICE BUILDING, with a favorable report.

H. J. R. 410, A JOINT RESOLUTION MEMORIALIZING CONGRESS TO ASSURE THAT FEDERAL LANDS CURRENTLY DESIGNATED AS UNITED STATES FOREST AND PARK LANDS IN WESTERN NORTH CAROLINA REMAIN IN PUBLIC OWNERSHIP, with a favorable report, as amended.

By Representative Evans for the Committee on Banks and Thrift Institutions:

H. B. 401, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSUMER FINANCE ACT, with a favorable report, as amended.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Quinn, Hudson, Slaughter, and Thomas:

H. B. 508, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONTINUED RESTORATION OF THE OLD CARBARRUS COUNTY COURTHOUSE, is referred to the Committee on Cultural Resources.

By Representative Quinn:

H. B. 509, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR LUTHERAN FAMILY SERVICES IN NORTH CAROLINA, INC., AS A GRANT-IN-AID TO A PRIVATE CHILD-CARING INSTITUTION, is referred to the Committee on Appropriations.

By Representative Barnes:

H. B. 510, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE JUVENILE CODE AS RECOMMENDED BY THE JUVENILE LAW STUDY COMMISSION, is referred to the Committee on Judiciary No. 4.

By Representative Lancaster:

H. B. 511, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A VICTIMS' AND WITNESSES' BILL OF RIGHTS, is referred to the Committee on Judiciary No. 3.

By Representative Helms:

H. B. 512, A BILL TO BE ENTITLED AN ACT RELATING TO USE OF LISTS OF

LICENSED DRIVERS FOR JURY DUTY, AND THE NUMBER OF NAMES ON THE JURY LIST, is referred to the Committee on Courts and Administration of Justice.

By Representative Helms:

H. B. 513, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE FILING OF A NOTICE OF APPEAL WITHIN 30 DAYS IN ALL APPEALS TAKEN FROM DECISIONS OR ORDERS OF THE UTILITIES COMMISSION, is referred to the Committee on Courts and Administration of Justice.

By Representatives Cochrane, Lambeth, and Varner:

H. B. 514, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DAVIE COUNTY BOARD OF COMMISSIONERS TO CONVEY CERTAIN REAL PROPERTY, is referred to the Committee on Local Government No. 1.

By Representatives Warren and Jones:

H. B. 515, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO REIMBURSE THE PITT - GREENVILLE CHAMBER OF COMMERCE, INC., FOR RESTORATION OF THE HISTORIC FLEMING HOUSE, is referred to the Committee on Cultural Resources.

By Representative Economos:

H. B. 516, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS TO PERMIT MECKLENBURG COUNTY TO PARTICIPATE IN THE COMPREHENSIVE SCREENING PROGRAM FOR THE ELDERLY PURSUANT TO CHAPTER 675, 1981 SESSION LAWS, is referred to the Committee on Aging.

By Representative Wright:

H. B. 517, A BILL TO BE ENTITLED AN ACT TO REVISE THE STATUTES RELATING TO THE STATE AUDITOR, is referred to the Committee on Judiciary No. 2.

By Representatives Musselwhite, Adams, Blue, Cook, Fussell, and Stamey:

H. B. 518, A BILL TO BE ENTITLED AN ACT TO AMEND THE AVERAGE COST BASIS FORMULA THE CITY OF RALEIGH MAY USE TO ASSESS THE COST OF EXTENDING WATER AND SEWER LINES, is referred to the Committee on Local Government No. 1.

By Representative Musselwhite:

H. B. 519, A BILL TO BE ENTITLED AN ACT TO REVISE THE QUALIFICATIONS FOR REAL ESTATE LICENSES, is referred to the Committee on State Government.

By Representatives Rabon and Lancaster:

H. B. 520, A BILL TO BE ENTITLED AN ACT REGARDING COHABITATION AS A CHANGED CIRCUMSTANCE FOR ALIMONY, is referred to the Committee on Judiciary No. 1.

By Representative Ballance (by request):

H. B. 521, A BILL TO BE ENTITLED AN ACT TO PROHIBIT TAKING CERTAIN WILDLIFE SPECIES WITH DOGS IN PART OF MARTIN COUNTY, is referred to the Committee on Wildlife Resources.

By Representatives Ballance and Edwards:

H. B. 522, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE NECESSITY OF A CITED PERSON SIGNING THE TRAFFIC CITATION, is referred to the Committee on Judiciary No. 4.

By Representatives Fussell, Brannan, Church, Foster, Gillam, Grimsley, Hayden, Hudson, James, Jones, Murphy, Musselwhite, Redding, Spoon, and Tyndall:

H. B. 523, A BILL TO BE ENTITLED AN ACT TO AMEND THE MOTOR VEHICLES EQUIPMENT INSPECTION LAW, is referred to the Committee on Highway Safety.

By Representative Watkins:

H. B. 524, A BILL TO BE ENTITLED AN ACT TO REPEAL ALL ADMINISTRATIVE RULES ADOPTED UNDER THE A. P. A. AND REQUIRE THEIR ADOPTION BY THE GENERAL ASSEMBLY, is referred to the Committee on Rules and Operation of the House.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 160, AN ACT TO EXTEND THE EFFECTIVE DATE OF PROBATIONARY OR TEMPORARY CERTIFICATES ISSUED TO NORTH CAROLINA CODE OFFICIALS.

H. B. 181, AN ACT TO EXPAND THE EXTRATERRITORIAL JURISDICTION OF THE NORWOOD TOWN POLICE TO TWO MILES.

H. B. 308, AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE RELATING TO THE SALE OF REAL PROPERTY.

H. B. 316, AN ACT TO ALLOW THE TOWN OF HILLSBOROUGH TO BE DIVIDED INTO MORE THAN ONE PRECINCT AND TO VALIDATE ELECTIONS AND ACTIONS OF THAT TOWN.

H. B. 337, AN ACT TO EXPAND THE MEMBERSHIP OF THE INDUSTRIAL - AGRICULTURAL DEVELOPMENT COMMISSION OF LENOIR COUNTY.

H. B. 344, AN ACT TO CHANGE THE FILING DEADLINE FOR ELECTION TO THE RUTHERFORD COUNTY BOARD OF EDUCATION.

H. B. 349, AN ACT TO CHANGE THE DEFINITION OF SUBDIVISION FOR SUBDIVISION REGULATION IN SCOTLAND COUNTY.

H. B. 350, AN ACT TO PROVIDE FOR THE ELECTION OF MEMBERS OF THE ROWAN COUNTY BOARD OF EDUCATION IN THE GENERAL ELECTION.

H. B. 359, AN ACT TO ALLOW NEW HANOVER COUNTY AND AVERY COUNTY TO NAME AND ASSIGN STREET NUMBERS TO PRIVATE ROADS IN UNINCORPORATED AREAS.

CALENDAR

Action is taken on the following:

H. B. 190, A BILL TO BE ENTITLED AN ACT TO ALLOW VARIOUS TOWNS TO INCREASE THE TAX LEVY ON MOTOR VEHICLES TO A MAXIMUM OF FIVE DOLLARS.

On motion of Representative James, the House concurs in the material Senate Amendment No. 3, on its second roll-call reading, by the following vote, and the bill remains on the Calendar.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Cochrane, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Greenwood, Grimsley, Hackney, Hasty, Hayden, Helms, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Rabon, Rhodes, Roberts, Spoon, Tennille, Thomas, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 97.

Voting in the negative: None.

Excused absences: Representatives Berry, Colton, Gist, Hauser, Hightower, Lancaster, Murphy, Musselwhite, Pulley, Redding, and Seymour — 11.

H. B. 348, A BILL TO BE ENTITLED AN ACT TO ADD NEW HANOVER COUNTY TO THE PROVISIONS OF THE GENERAL STATUTES RELATING TO ATTACHMENT OF GARNISHMENT AND LIEN FOR AMBULANCE SERVICE IN CERTAIN COUNTIES.

On motion of Representative Payne, Committee Amendment No. 1 is adopted. This amendment changes the title.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Greenwood, Grimsley, Hackney, Hasty, Hayden, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Huskins, James, Jarrell, Jeralds, Jones, Keesee, Kennedy, Lacey, Lambeth, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Nash, Nesbitt, Owens, Payne, Pool, Rabon, Rhodes, Roberts, Robinson, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 98.

Voting in the negative: None.

Excused absences: Representatives Berry, Colton, Gist, Hauser, Hightower, Lancaster, Murphy, Musselwhite, Pulley, Redding, and Seymour — 11.

H. B. 467, A BILL TO BE ENTITLED AN ACT TO DEFINE THE CORPORATE LIMITS OF THE TOWN OF EAST BEND IN YADKIN COUNTY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Black, Blue, Bowen, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Greenwood, Grimsley, Hackney, Hasty, Hayden, Helms, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Rabon, Rhodes, Roberts, Robinson, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 102.

Voting in the negative: None.

Excused absences: Representatives Berry, Colton, Gist, Hauser, Hightower, Lancaster, Murphy, Musselwhite, Pulley, Redding, and Seymour — 11.

H. B. 405, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF MONROE TO CONVEY TO THE UNITED STATES OR ANY AGENCY THEREOF WITH OR WITHOUT CONSIDERATION, OR TO EXCHANGE WITH THE UNITED STATES OR ANY AGENCY THEREOF FOR OTHER REAL AND/OR PERSONAL PROPERTY CERTAIN REAL PROPERTY OWNED BY THE CITY OF MONROE.

On motion of Representative Hudson, Committee Amendment No. 1 is adopted. This amendment changes the title.

The bill, as amended, passes its second reading. The rules are suspended and the bill is read the third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 418, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COUNTY OF CASWELL TO CONVEY A PARCEL OF LAND AT PRIVATE SALE TO THE CHEROKEE COUNCIL OF THE BOY SCOUTS OF AMERICA, INC., passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 437, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE FILING PERIOD FOR CABARRUS COUNTY BOARD OF EDUCATION SHALL BE THE SAME AS FOR COUNTY OFFICERS GENERALLY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 479, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE CITY OF REIDSVILLE MAY REDUCE WATER RATES OF SENIOR CITIZENS BY ONE

DOLLAR PER MONTH, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S. B. 132, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ELECTION OF THE CHAIRMAN AND VICE-CHAIRMAN OF THE CUMBERLAND COUNTY BOARD OF EDUCATION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

H. B. 379, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE SHERIFF ISSUE BERTIE COUNTY WEAPON PERMITS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 423, A BILL TO BE ENTITLED AN ACT TO ADD A SPEED RESTRICTION FOR SUBDIVISION STREETS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 424, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM FINE FOR VIOLATION OF MECKLENBURG COUNTY ORDINANCES, passes its second reading, by electronic vote (76-21), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 425, A BILL TO BE ENTITLED AN ACT TO ALLOW CITIES AND COUNTIES TO CONTRACT FOR THE OPERATION OF HUMAN RELATIONS, COMMUNITY ACTION AND MANPOWER DEVELOPMENT PROGRAMS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 429, A BILL TO BE ENTITLED AN ACT TO MAKE A TECHNICAL CORRECTION IN A REFERENCE TO A PLAT OF THE COUNTY BOUNDARY BETWEEN TYRRELL AND WASHINGTON COUNTIES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 441, A BILL TO BE ENTITLED AN ACT RELATED TO ZONING BY THE CITY OF ROCKY MOUNT, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 454, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF TROUTMAN TO APPOINT A TOWN ADMINISTRATOR, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 469, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MILEAGE

ALLOWANCE FOR THE DURHAM COUNTY BOARD OF EDUCATION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S. B. 166, A BILL TO BE ENTITLED AN ACT TO PERMIT THE TOWN OF BEAUFORT TO DISPOSE OF CERTAIN PROPERTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Representative Evans moves that the vote by which H. B. 271, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCALITIES TO LEVY AD VALOREM TAXES FOR HOUSING PROGRAMS, failed to pass its second reading on March 23 be reconsidered.

Representative Jordan moves, seconded by Representative Anderson, that this motion do lie upon the table. This motion fails to carry by electronic vote (44-57).

Now the question is the motion by Representative Evans to reconsider the vote by which the bill failed to pass. This motion carries by electronic vote (58-42).

On motion of Representative Cook, the bill is placed on the Calendar for March 29, 1983.

H. B. 277, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCALITIES TO SPEND SALES TAX REVENUE ON HOUSING.

On motion of Representative Cook, consideration of the bill is postponed until March 29, 1983.

Committee Substitute for H. B. 143, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF DAY-CARE PLAN.

On motion of Representative Fenner, consideration of the bill is postponed until March 28, 1983.

Committee Substitute for H. B. 351, A BILL TO BE ENTITLED AN ACT TO CHANGE THE POPULATION REQUIREMENT FOR A COUNTY DEPARTMENT OF HUMAN RESOURCES, passes its second reading, by electronic vote (93-0), and there being no objection is read a third time.

Representative Payne offers Amendment No. 1 which is adopted by electronic vote (89-0).

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 452, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LIMITED EXPANSION OF THE PRISON ENTERPRISE LAUNDRY OPERATIONS, passes its second reading, by electronic vote (93-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 270, A BILL TO BE ENTITLED AN ACT TO MAKE THE MINIMUM HOUSING STANDARDS APPLY TO MOBILE HOMES.

On motion of Representative Cook, Committee Amendments Nos. 1 and 2 are adopted.

Representative Jordan moves that consideration of the bill be postponed until March 29, 1983.

Representative Cook moves, seconded by Representative Hackney, that the motion to postpone do lie upon the table. This motion passes by electronic vote (49-43).

The bill, as amended, passes its second reading by electronic vote (75-18).

Representative Cook objects to the third reading.

On motion of Representative Cook, the bill is placed on the Calendar for March 28, 1983.

On motion of Representative Hunt, seconded by Representative Gillam, the House adjourns to reconvene March 25, 1983 at 10:00 a.m.

FIFTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Friday, March 25, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Brown.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of March 24 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Berry, Brennan, Colton, Easterling, Evans, Gist, Hightower, Lancaster, Lee, Lilley, Murphy, Musselwhite, Nash, Seymour, and Wright for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Economos for the Committee on Aging:

H. B. 40, A BILL TO BE ENTITLED AN ACT TO SUBJECT NURSING HOME BEDS IN HOSPITALS TO THE NURSING HOME PATIENTS BILL OF RIGHTS, with an unfavorable report as to bill, favorable as to committee substitute.

The substitute bill is placed on the Calendar for March 29, 1983. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Chapin:

H. B. 525, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A CHANGE IN THE MANNER OF SELECTION OF THE WASHINGTON CITY BOARD OF

EDUCATION, SUBJECT TO A REFERENDUM, is referred to the Committee on Local Government No. 2.

By Representatives Lancaster, Evans, Pulley, Slaughter, and Wright:

H. B. 526, A BILL TO BE ENTITLED AN ACT AUTHORIZING A COURT TO ORDER RESTITUTION OF REWARD MONEY, is referred to the Committee on Judiciary No. 3.

By Representative Lancaster, Evans, Pulley, Slaughter, and Wright:

H. B. 527, A BILL TO BE ENTITLED AN ACT MAKING HONORABLE DISCHARGE FROM THE MILITARY A MITIGATING FACTOR UNDER THE FAIR SENTENCING ACT, is referred to the Committee on Military and Veterans' Affairs.

By Representative Lee:

H. B. 528, A BILL TO BE ENTITLED AN ACT TO AMEND THE ESCHEAT LAWS OF NORTH CAROLINA, is referred to the Committee on Judiciary No. 4.

By Representative Miller:

H. B. 529, A BILL TO BE ENTITLED AN ACT TO ALLOW THE PERSONAL REPRESENTATIVE IN CERTAIN SITUATIONS TO WITHDRAW FROM JOINT BANK DEPOSITS WITHOUT OBTAINING A TAX WAIVER FROM THE SECRETARY OF REVENUE, is referred to the Committee on Finance.

By Representatives Grimsley, Burnley, Coble, Gist, Jarrell, and Keesee:

H. B. 530, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ESTABLISHMENT OF A RESERVE DEPUTY PROGRAM FOR THE SHERIFF OF GUILFORD COUNTY AND TO MAKE THE NORTH CAROLINA WORKMEN'S COMPENSATION ACT APPLICABLE TO MEMBERS OF THE RESERVE DEPUTY PROGRAM, is referred to the Committee on Law Enforcement.

By Representatives Warren and Jones:

H. B. 531, A BILL TO BE ENTITLED AN ACT TO REPEAL THE AUTHORIZATION FOR A GREENVILLE CEMETERY PURCHASE FUND, AND TO AUTHORIZE TRANSFER OF MONIES FROM THAT FUND, is referred to the Committee on Local Government No. 1.

By Representatives Jarrell, Burnley, Coble, Gist, Grimsley, and Keesee:

H. B. 532, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE HIGH POINT CAREER SERVICE LAW, is referred to the Committe on Local Government No. 2.

By Representative Creecy:

H. B. 533, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE RESTORATION AND RENOVATION OF BROWN HALL, is referred to the Committee on Cultural Resources.

By Representative Fletcher (by request):

H. B. 534, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF OAK HILL IN BURKE COUNTY, is referred to the Committee on Local Government No. 2.

By Representatives N. J. Crawford, Colton, Greenwood, and Nesbitt:

H. B. 535, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT BUNCOMBE COUNTY SHALL BE GOVERNED BY A BOARD OF COMMISSIONERS ELECTED TOGETHER, AND SHALL BE UNDER THE COUNTY-MANAGER PLAN, is referred to the Committee on Local Government No. 2.

By Representative Spaulding:

H. B. 536, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON WHO RECEIVES A SUBSTANTIAL PLURALITY OF THE VOTES AND IS THE CLEAR WINNER IN THE PRIMARY FOR OTHER THAN A COUNTY OR MUNICIPAL OFFICE SHALL BE THE NOMINEE OF THE PARTY, is referred to the Committee on Election Laws.

By Representative Slaughter:

H.B. 537, A BILL TO BE ENTITLED AN ACT TO FURTHER EQUALIZE BETWEEN MARRIED PERSONS THE RIGHT TO INCOME, POSSESSION AND CONTROL OF PROPERTY OWNED JOINTLY AS TENANTS BY THE ENTIRETY, is referred to the Committee on Judiciary No. 1.

By Representatives Helms and Brennan:

H. B. 538, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS FOR MATERNITY HOME CARE, Is referred to the Committee on Appropriations.

By Representatives Robinson, Brown, J. Hughes, and Lacey:

H. B. 539, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA RHODODENDRON FESTIVAL IN MITCHELL COUNTY, is referred to the Committee on Cultural Resources.

By Representatives Robinson, Brown, J. Hughes, and Lacey:

H. B. 540, A BILL TO BE ENTITLED AN ACT TO INCLUDE THREE SATELLITE AREAS WITHIN THE CORPORATE LIMITS OF THE CITY OF LENOIR, is referred to the Committee on Local Government No. 2.:

By Representatives Gillam and James:

H. B. 541, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCOME TAX CREDIT FOR THE PURCHASE OF CONSERVATION TILLAGE EQUIPMENT FOR AGRICULTURE AND FORESTRY, is referred to the the Committee on Finance.

By Representatives Jordan, Hauser, Holt, McAlister, and McDowell:

H. B. 542, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ADDITIONAL INCOME TAX PERSONAL EXEMPTION FOR INDIVIDUALS AGE SEVENTY AND OVER, is referred to the Committee on Aging.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S. B. 121, A BILL TO BE ENTITLED AN ACT REGARDING REQUESTS FOR STATE ASSISTANCE BY PRIVATE COLLEGES AND UNIVERSITIES, is read the first time and is referred to the Committee on Higher Education.

S. B. 170, A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET PROVISION ON AN ACT TO AUTHORIZE THE CITY OF RALEIGH TO EXERCISE CERTAIN LAND ACQUISITION AND DISPOSAL PROCEDURES, is read the first time and is referred to the Committee on Local Government No. 1.

S. B. 172, A BILL TO BE ENTITLED AN ACT RELATING TO THE PRIMA FACIE RULE OF EVIDENCE FOR ENFORCEMENT OF PARKING REGULATIONS IN THE CITY OF WINSTON-SALEM, is read the first time and is referred to the Committee on Local Government No. 1.

S. B. 183, A BILL TO BE ENTITLED AN ACT TO ALLOW FORSYTH COUNTY TO DELEGATE THE AUTHORITY TO MAKE CERTAIN RELEASES AND REFUNDS OF PROPERTY TAX, is read the first time and is referred to the Committee on Local Government No. 1.

S. B. 190, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MITCHELL COUNTY TAX COLLECTOR FROM AN ELECTIVE TO AN APPOINTIVE POSITION, is read the first time and is referred to the Committee on Local Government No. 2.

S. B. 192, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF HENDERSONVILLE TO AUTHORIZE ITS ZONING BOARD OF ADJUSTMENT TO MAKE DECISIONS PURSUANT TO A SEVEN MEMBER MAJORITY VOTE, is read the first time and is referred to the Committee on Local Government No. 2.

S. B. 204, A BILL TO BE ENTITLED AN ACT TO PERMIT PERSONS TO ENGAGE IN BUSINESS AS A PAWNBROKER IN UNINCORPORATED AREAS OF JACKSON COUNTY, is read the first time and is referred to the Committee on Local Government No. 1.

CALENDAR

Action is taken on the following:

H. B. 190, A BILL TO BE ENTITLED AN ACT TO ALLOW VARIOUS TOWNS TO INCREASE THE TAX LEVY ON MOTOR VEHICLES TO A MAXIMUM OF FIVE DOLLARS.

On motion of Representative James, the House concurs in the material Senate Amendment No. 3 on its third roll-call reading, by the following vote, and the bill is ordered enrolled.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Barbee, Barnes, Beall, Beam, Beard, Blue, Bowen, Brannan, Brawley, Brown, Bumgardner, Burnley, Chapin, Childress, Church, Coble, Cochrane, J. W. Crawford, N. J. Crawford, DeVane, Economos, Enloe, Fenner, Fletcher, Foster, Fussell, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Holmes, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, Jarrell, Jeralds, Jones, Jordan, Kennedy, Lacey, Ligon, Locks, Lutz, McDowell, Matthews, Mavretic, Miller, Nesbitt, Payne, Pool, Poovey, Pulley, Quinn, Redding, Roberts, Robinson, Slaughter, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Warren, Wicker, Womble, and B. Woodard — 76.

Voting in the negative: None.

Excused absences: Representatives Berry, Brennan, Colton, Easterling, Evans, Gist, Hightower, Lancaster, Lee, Lilley, Mauney, Murphy, Musselwhite, Nash, Seymour, and Wright — 16.

H. B. 348, A BILL TO BE ENTITLED AN ACT TO ADD NEW HANOVER COUNTY TO THE PROVISIONS OF THE GENERAL STATUTES RELATING TO ATTACHMENT OR GARNISHMENT AND LIEN FOR AMBULANCE SERVICE IN CERTAIN COUNTIES.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Blue, Brannan, Brawley, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Coble, Cochrane, J. W. Crawford, N. J. Crawford, DeVane, Economos, Enloe, Bob Etheridge, Fenner, Fletcher, Foster, Fussell, Gentry, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Holmes, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, Jarrell, Jeralds, Jones, Jordan, Kennedy, Lacey, Lambeth, Ligon, Locks, Lutz, McAlister, McDowell, Matthews, Mavretic, Miller, Owens, Payne, Pool, Poovey, Quinn, Redding, Roberts, Robinson, Slaughter, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, and B. Woodard — 82.

Voting in the negative: None.

Excused absences: Representatives Berry, Brennan, Colton, Easterling, Evans, Gist, Hightower, Lancaster, Lee, Lilley, Mauney, Murphy, Musselwhite, Nash, Seymour, and Wright — 16.

H. B. 467, A BILL TO BE ENTITLED AN ACT TO DEFINE THE CORPORATE LIMITS OF THE TOWN OF EAST BEND IN YADKIN COUNTY, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Blue, Bowen, Brannan, Brawley, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Coble, Cochrane, J. W. Crawford, N. J. Crawford, DeVane, Economos, Enloe, Bob Etheridge, Fenner, Fletcher, Foster, Fussell, Gentry, Greenwood, Grimsley, Hackney, Hasty, Hauser, Helms, Holmes, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jeralds, Jones, Jordan, Kennedy, Lacey, Lambeth, Ligon, Locks, Lutz, McAlister, McDowell, Matthews, Mavretic, Miller, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Robinson, Slaughter, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, and B. Woodard — 85.

Voting in the negative: None.

Excused absences: Representatives Berry. Brennan, Colton, Easterling, Evans, Gist, Hightower, Lancaster, Lee, Lilley, Mauney, Murphy, Musselwhite, Nash, Seymour, and Wright — 16.

H. B. 449, A BILL TO BE ENTITLED AN ACT TO PERMIT COUNTIES TO DISPOSE OF PROPERTY AND LIMIT THE USES THAT MAY BE MADE OF THE PROPERTY.

Representative Hunter offers Amendment No. 1 which is adopted. This amendment changes the title and the bill to a public bill.

The bill, as amended, passes its second reading, by electronic vote (93-0), and remains on the Calendar.

H. B. 504, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM

HIGHWAY 306 IN CRAVEN COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

House Committee Substitute for S. B. 120, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE COURT TO ORDER DIRECT PAYMENT FOR FEES FOR APPOINTED COUNSEL, passes its second reading by electronic vote (88-6).

Representative Helms objects to the third reading. The bill remains on the Calendar.

H. B. 482, A BILL TO BE ENTITLED AN ACT TO COMPLY WITH THE HIGHWAY FEDERAL-AID REQUIREMENTS FOR PROOF OF PAYMENT OF THE FEDERAL TAX BEFORE ISSUING A STATE TRUCK LICENSE, passes its second reading, by electronic vote (94-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 281, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE ELECTION LAWS RELATIVE TO ACCESS TO THE VOTING ENCLOSURE, MAILING OF NOTICES OF CANCELLATION, USE OF TAX SUPPORTED BUILDINGS FOR VOTING, AND COUNTING OF PRIMARY BALLOTS.

On motion of Representative Holt, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading by electronic vote (91-0).

Representative Holt objects to the third reading. The bill remains on the Calendar.

H. J. R. 250, A JOINT RESOLUTION CONCERNING THE LEGISLATIVE OFFICE BUILDING, passes its second reading, by electronic vote (93-4), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. B. 132, AN ACT TO PROVIDE FOR THE ELECTION OF THE CHAIRMAN AND VICE-CHAIRMAN OF THE CUMBERLAND COUNTY BOARD OF EDUCATION.

S. B. 166, AN ACT TO PERMIT THE TOWN OF BEAUFORT TO DISPOSE OF CERTAIN PROPERTY.

H. B. 99, AN ACT BRINGING FORSYTH COUNTY UNDER GENERAL STATE LAW FOR PISTOL PERMIT FEES.

H. B. 168, AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO USE STATE AND FEDERAL FUNDS TO CONSTRUCT, MAINTAIN, LEASE OR OTHERWISE PROVIDE FOR COMMUTER AND RIDESHARING PARKING.

H. B. 257, AN ACT TO ESTABLISH THREE-YEAR TERMS FOR MEMBERS OF THE STATE BOARD OF REGISTRATION FOR FORESTERS AND TO SET A LIMIT OF TWO CONSECUTIVE TERMS.

H. B. 311, AN ACT TO DEFINE THE CORPORATE LIMITS OF THE TOWN OF TROUTMAN IN IREDELL COUNTY.

H. B. 317, AN ACT TO ANNEX CERTAIN PROPERTY TO THE TOWN OF AYDEN.

CALENDAR (continued)

H. J. R. 410, A JOINT RESOLUTION MEMORIALIZING CONGRESS TO ASSURE THAT FEDERAL LANDS CURRENTLY DESIGNATED AS UNITED STATES FOREST AND PARK LANDS IN WESTERN NORTH CAROLINA REMAIN IN PUBLIC OWNERSHIP.

On motion of Representative Nesbitt, Committee Amendments Nos. 1 and 2 are adopted. Amendment No. 2 changes the title.

The bill, as amended, passes its second reading, by electronic vote (85-1), and remains on the Calendar.

H. B. 401, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSUMER FINANCE ACT.

On motion of Representative Pulley, consideration of the bill is postponed until March 30, 1983.

On motion of Representative Hunt, seconded by Representative Thomas, the House adjourns to reconvene Monday, March 28, 1983 at 8:00 p.m.

FIFTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Monday, March 28, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Barnes.

Representative Barbee, for the Committee on Rules and Operation of the House, reports the Journal of March 25 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Berry, Burnley, Fulcher, Holt, Hunt, McAlister, and Seymour for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Nesbitt for the Committee on Small Business:

H. B. 313, A BILL TO BE ENTITLED AN ACT TO PROMOTE FAIR COMMERCIAL PRACTICES IN THE WHOLESALE WINE INDUSTRY, with an unfavorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Huskins, Beall, Beam, Brawley, Brown, Fletcher, Lacey, Lilley, and Robinson:

H. B. 543, A BILL TO BE ENTITLED AN ACT TO MODIFY CERTAIN PROVISIONS OF THE CERTIFICATE OF NEED LAW, is referred to the Committee on Human Resources.

By Representatives Fussell, Beam, Bowen, Cochrane, N. J. Crawford, Economos, Enloe, Grimsley, Hudson, Murphy, and Musselwhite:

H. B. 544, A BILL TO BE ENTITLED AN ACT TO REQUIRE A LAW ENFORCEMENT OFFICER WHO ARRESTS AN UNEMANCIPATED MINOR TO INFORM THE MINOR'S PARENTS OF THE THE ARREST, is referred to the Committee on Judiciary No. 1.

By Representatives Fenner, Blue, Clark, Bruce Ethridge, Kennedy, Locks, and Roberts:

H. B. 545, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 25A OF THE GENERAL STATUTES TO CLARIFY THE DEFINITION OF "SALE" IN THE RETAIL INSTALLMENT SALES ACT, is referred to the Committee on Judiciary No. 2.

By Representatives Hasty, DeVane, and Locks:

H. B. 546, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE MOSS NECK WATERSHED PROJECT IN ROBESON COUNTY, is referred to the Committee on Appropriations.

By Representatives Tennille, Childress, Grimsley, Hauser, Kennedy, and Womble:

H. B. 547, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE SUPPORT OF THE NATURE SCIENCE CENTER IN FORSYTH COUNTY, INCORPORATED, is referred to the Committee on Cultural Resources.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H. B. 325, A BILL TO BE ENTITLED AN ACT TO AMEND THE WEIGHTS AND MEASURES LAW CONCERNING SCALE TECHNICIANS, is returned for concurrence in Senate amendments and is placed on the Calendar for March 29, 1983.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
March 25, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the Senate adopts the report of the conferees on Senate Committee Substitute for H. B. 109, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE WILDLIFE PRESERVE AND BIRD SANCTUARY IN ARROWHEAD BEACH

SUBDIVISION, CHOWAN COUNTY, to the end that when a similar action has been taken on the part of the House, you may order the bill enrolled.

Respectfully,
S/ Sylvia M. Fink
Principal Clerk

The Speaker orders the bill enrolled.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 190, AN ACT TO ALLOW VARIOUS TOWNS TO INCREASE THE TAX LEVY ON MOTOR VEHICLES TO A MAXIMUM OF FIVE DOLLARS.

H. B. 213, AN ACT TO AMEND ARTICLE 7 OF CHAPTER 90 OF THE GENERAL STATUTES RELATING TO THE BOARD OF OSTEOPATHIC EXAMINATION AND REGISTRATION AND TO PERMIT HIGHER REGISTRATION FEES.

H. B. 256, AN ACT TO AMEND CHAPTER 89D, CONCERNING LANDSCAPE CONTRACTORS.

H. B. 296, AN ACT RELATING TO HUNTING FOXES IN ONSLOW COUNTY.

CALENDAR

Action is taken on the following:

H. B. 270, A BILL TO BE ENTITLED AN ACT TO MAKE THE MINIMUM HOUSING STANDARDS APPLY TO MOBILE HOMES.

Representative Cook offers Amendment No. 3 which is adopted by electronic vote (98-0).

On motion of Representative Brawley, consideration of the bill is postponed until March 30, 1983.

House Committee Substitute for S. B. 120, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE COURT TO ORDER DIRECT PAYMENT FOR FEES FOR APPOINTED COUNSEL.

On motion of Representative Brennan, consideration of the bill is postponed until March 30, 1983.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

S. J. R. 206, A JOINT RESOLUTION COMMEMORATING THE LIFE AND MEMORY OF NATHAN HUNTER YELTON, is read the first time.

On motion of Representative Economos, the rules are suspended, and the resolution is placed before the House for immediate consideration.

The resolution passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enr'

CALENDAR (continued)

H. B. 449, A BILL TO BE ENTITLED AN ACT TO PERMIT LOCAL GOVERNMENTS TO DISPOSE OF PROPERTY AND LIMIT THE USES THAT MAY BE MADE OF THE PROPERTY.

The bill, as amended, passes its third reading, by electronic vote (109-0), and is ordered engrossed and sent to the Senate.

H. B. 281, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE ELECTION LAWS RELATIVE TO ACCESS TO THE VOTING ENCLOSURE, MAILING OF NOTICES OF CANCELLATION, USE OF TAX SUPPORTED BUILDINGS FOR VOTING, AND COUNTING OF PRIMARY BALLOTS.

On motion of Representative McDowell, consideration of the bill is postponed until March 30, 1983.

H. J. R. 410, A JOINT RESOLUTION MEMORIALIZING CONGRESS TO ASSURE THAT FEDERAL LANDS CURRENTLY DESIGNATED AS UNITED STATES FOREST AND PARK LANDS IN NORTH CAROLINA REMAIN IN PUBLIC OWNERSHIP.

The resolution, as amended, passes its third reading, by electronic vote (105-0), and is ordered engrossed and sent to the Senate.

Committee Substitute for H. B. 143, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF DAY-CARE PLAN, passes its second reading, by electronic vote (95-11), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

On motion of Representative Lancaster, the rules are suspended and S. B. 1, A BILL TO BE ENTITLED AN ACT TO PROVIDE SAFE ROADS BY REQUIRING MANDATORY JAIL TERMS FOR GROSSLY AGGRAVATED DRUNKEN DRIVERS, PROVIDING AN EFFECTIVE DETERRENT TO REDUCE THE INCIDENCE OF IMPAIRED DRIVING, AND CLARIFYING THE STATUTES RELATED TO DRINKING AND DRIVING, is placed on the Calendar as Special Order of Business No. 1 for March 29, 1983.

On motion of Representative Barbee, seconded by Representative Matthews, the House adjourns to reconvene March 29, 1983 at 1:30 p.m.

FIFTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, March 29, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Foster.

Representative Quinn, for the Committee on Rules and Operation of the House, reports the Journal of March 28 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Berry, Holt, Hunt, and Seymour for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Pulley for the Committee on Judiciary No. 4.:

S. B. 189, A BILL TO BE ENTITLED AN ACT TO MAKE A TECHNICAL CORRECTION IN G. S. 161-22, with a favorable report.

By Representative Lancaster for the Committee on Judiciary No. 3:

H. B. 146, A BILL TO BE ENTITLED AN ACT TO CLARIFY AGE LIMITS SET BY VARIOUS CRIMINAL STATUTES, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for March 31, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Miller for the Committee on Judiciary No. 1:

H. B. 38, A BILL TO BE ENTITLED AN ACT TO REPEAL CERTAIN OBSOLETE CRIMINAL STATUTES REGARDING LANDLORDS AND TENANTS, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for March 31, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 432, A BILL TO BE ENTITLED AN ACT TO CLARIFY A MARRIED WOMAN'S DOMICILE FOR TAX PURPOSES, with a favorable report, as amended.

By Representative Colton for the Committee on Cultural Resources:

H. B. 406, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE OUTDOOR DRAMA "STRIKE AT THE WIND", with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H. B. 412, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE RESTORATION OF THE HENRY STEVENS CARSON CABIN IN BUNCOMBE COUNTY, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

By Representative Foster for the Committee on Education:

H.B. 329, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 115C-41 PERTAINING TO ORGANIZATION OF LOCAL BOARDS OF EDUCATION, with a favorable report.

H. B. 483, A BILL TO BE ENTITLED AN ACT TO ALLOW THE LINCOLN COUNTY BOARD OF EDUCATION TO PAY ITS TEN-MONTH EMPLOYEES ON OR BEFORE THE FIFTEENTH DAY OF EACH MONTH, with a favorable report, as amended.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Barnes:

H. B. 548, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR NONSUPPORT AS RECOMMENDED BY THE JUVENILE LAW STUDY COMMISSION, is referred to the Committee on Judiciary No. 1.

By Representative Auman:

H. B. 549, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A FARMERS' MARKET IN MOORE COUNTY, is referred to the Committee on Appropriations.

By Representative Beall:

H. B. 550, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO SOUTHWESTERN TECHNICAL COLLEGE TO DEVELOP AND INITIATE A COMPUTER MAINTENANCE TECHNICIAN PROGRAM, is referred to the Committee on Appropriations.

By Representatives James and Evans:

H. B. 551, A BILL TO BE ENTITLED AN ACT AMENDING THE COUNTY HOSPITAL ACT TO AUTHORIZE A COUNTY HOSPITAL TO ESTABLISH AND OPERATE BRANCH FACILITIES IN OTHER COUNTIES, is referred to the Committee on Health.

By Representative Watkins:

H. B. 552, A BILL TO BE ENTITLED AN ACT TO AMEND THE COMMUNITY COLLEGE SYSTEM LAWS WITH RESPECT TO THE DEFINITION OF REGIONAL INSTITUTION, is referred to the Committee on Appropriations.

By Representatives Gillam, Jones, and Warren:

H. B. 553, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE TAR RIVER PORT COMMISSION, is referred to the Committee on Local Government No. 1.

By Representatives Hightower, Adams, Auman, Ballance, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Brannan, Brawley, Brennan, Brown, Burnley, Childress, Church, Cochrane, Cook, J. W. Crawford, Creecy, Diamont, Easterling, Enloe, Bruce Ethridge, Fletcher, Foster, Gentry, Gillam, Gist, Greenwood, Hackney, Hauser, Helms, C. Hughes, J. Hughes, Huskins, James, Jones, Keesee, Kennedy, Lacey, Lambeth, Lee, Ligon, Lilley, Locks, Lutz, McAlister, Matthews, Mauney, Mavretic, Nesbitt, Poovey, Rabon, Rhodes, Roberts, Slaughter, Spaulding, Spoon, Stamey, Tyndall, Tyson, Warren, Watkins, Womble, and B. Woodard:

H. B. 554, A BILL TO BE ENTITLED AN ACT PERTAINING TO INSURANCE AND REGULATION OF HAZARDOUS WASTE LANDFILL FACILITIES, is referred to the Committee on Insurance.

By Representatives Gillam, Chapin, James, Lutz, and Warren:

H. B. 555, A BILL TO BE ENTITLED AN ACT TO MAKE VOCATIONAL AGRICULTURE 12-MONTH PROGRAMS AND TO PROVIDE RESOURCES FOR VOCATIONAL AGRICULTURE/FFA AT NO LESS THAN PRESENT LEVELS, is referred to the Committee on Agriculture.

By Representatives Gillam, James, Lutz, and Warren:

H. B. 556, A BILL TO BE ENTITLED AN ACT TO PERMIT TEACHERS EMPLOYED ON A TWELVE-MONTH BASIS TO ACCUMULATE LEAVE TIME, is referred to the Committee on Education.

By Representatives Adams and Cook:

H. B. 557, A BILL TO BE ENTITLED AN ACT TO AMEND THE RALEIGH CIVIL SERVICE ACT, CHAPTER 241 OF THE 1981 SESSION LAWS, TO PROVIDE AN ADEQUATE REMEDY FOR AN APPEAL FOR FAILURE TO PROMOTE, is referred to the Committee on Local Government No. 1.

By Representatives Adams and Cook:

H. B. 558, A BILL TO BE ENTITLED AN ACT TO PROVIDE A MANNER OF ELECTION OF THE WAKE COUNTY BOARD OF EDUCATION, is referred to the Committee on Local Government No. 1.

By Representative Clark:

H. B. 559, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF LANDFILLING FOR CERTAIN CLASSES OF HAZARDOUS WASTES AND OTHER SOLID WASTES, is referred to the Committee on Water and Air Resources.

By Representatives James and Evans:

H. B. 560, A BILL TO BE ENTITLED AN ACT TO EMPOWER CHOWAN HOSPITAL TO USE ATTACHMENT AND GARNISHMENT PROCEDURES FOR COLLECTING UNPAID BILLS, is referred to the Committee on Local Government No. 1.

By Representative Wright:

H. B. 561, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN ACTS OF NOTARIES, is referred to the Committee on Judiciary No. 2.

By Representative Wright:

H. B. 562, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR FILING AND NOTICE OF ELECTION TO THE COLUMBUS COUNTY BOARD OF EDUCATION AND THE WHITEVILLE CITY BOARD OF EDUCATION, is referred to the Committee on Local Government No. 1.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for H. B. 247, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN TOWNSHIPS TO VOTE ON ALCOHOLIC BEVERAGES SALES AND TO ALLOW OFF-PREMISES UNFORTIFIED WINE SALES IN TOWNSHIPS THAT HAVE VOTED TO PERMIT THE SALE OF MIXED BEVERAGES, is returned for concurrence in Senate amendment and is placed on the Calendar for March 30, 1983.

Committee Substitute for S. B. 13, A BILL TO BE ENTITLED AN ACT TO SUBJECT NURSING HOME BEDS IN HOSPITALS TO THE NURSING HOME PATIENTS BILL OF RIGHTS, is read the first time and is referred to the Committee on Aging.

S. B. 106, A BILL TO BE ENTITLED AN ACT TO EXTEND DEATH AND

ACCIDENT BENEFITS TO LAW ENFORCEMENT OFFICERS RETIRED PRIOR TO JULY 1, 1965, is read the first time and is referred to the Committee on Pensions and Retirement.

S. B. 160, A BILL TO BE ENTITLED AN ACT TO AMEND THE WINSTON-SALEM FIREMEN'S RETIREMENT FUND ASSOCIATION, is read the first time and is referred to the Committee on Pensions and Retirement.

S. B. 169, A BILL TO BE ENTITLED AN ACT TO REVISE PROCEDURES OF THE BOARD OF PODIATRY EXAMINERS, is read the first time and is referred to the Committee on State Government.

S. B. 202, A BILL TO BE ENTITLED AN ACT TO REVISE THE LICENSE FEES FOR HUNTING, TRAPPING, FISHING, AND DEALING IN FURS, is read the first time and is referred to the Committee on Finance.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 109, AN ACT TO AMEND THE PROVISIONS OF THE WILDLIFE PRESERVE AND BIRD SANCTUARY IN ARROWHEAD BEACH SUBDIVISION, CHOWAN COUNTY.

S. J. R. 206, A JOINT RESOLUTION COMMEMORATING THE LIFE AND MEMORY OF NATHAN HUNTER YELTON.

CALENDAR

Action is taken on the following:

H. B. 325, A BILL TO BE ENTITLED AN ACT TO AMEND THE WEIGHTS AND MEASURES LAW CONCERNING SCALE TECHNICIANS.

On motion of Representative James, the House concurs in Senate Amendments Nos. 1 and 2 and the bill is ordered enrolled.

House Committee Substitute for Senate Committee Substitute No. 2 for S. B. 1, A BILL TO BE ENTITLED AN ACT TO PROVIDE SAFE ROADS BY REQUIRING MANDATORY JAIL TERMS FOR GROSSLY AGGRAVATED DRUNKEN DRIVERS, PROVIDING AN EFFECTIVE DETERRENT TO REDUCE THE INCIDENCE OF IMPAIRED DRIVING, AND CLARIFYING THE STATUTES RELATED TO DRINKING AND DRIVING.

Representative Hackney offers Amendment No. 1 which is adopted by electronic vote (62-49).

Representative Jordan offers Amendment No. 2.

On motion of Representative Lancaster, seconded by Representative Hackney, Amendment No. 2 is tabled by electronic vote (83-16).

Representative Jordan offers Amendment No. 3.

On motion of Representative Lancaster, seconded by Representative Clark, Amendment No. 3 is tabled by electronic vote (76-29).

Representative Jordan offers Amendment No. 4.

On motion of Representative Lancaster, seconded by Representative Wicker, Amendment No. 4 is tabled by electronic vote (73-29).

Representative Lilley offers Amendment No. 5 which fails of adoption by electronic vote (48-63).

Representative Ballance offers Amendment No. 6.

On motion of Representative Lancaster, seconded by Representative McDowell, Amendment No. 6 is tabled by electronic vote (82-22).

Representative Ballance offers Amendment No. 7 which is adopted by electronic vote (79-31).

Representative Ballance offers Amendment No. 8.

On motion of Representative Adams, and under Rule 24.1B, Amendment No. 8 is divided for consideration.

On motion of Representative Lancaster, seconded by Representative Lilley, Part 1 of Amendment No. 8 is tabled by electronic vote (84-20).

Part 2 of Amendment No. 8 fails of adoption by electronic vote (12-97).

Representative Ballance offers Amendment No. 9.

On motion of Representative Lancaster, seconded by Representative McDowell, Amendment No. 9 is tabled by electronic vote (94-10).

Representative Ballance offers Amendment No. 10.

On motion of Representative Lancaster, seconded by Representative Economos, Amendment No. 10 is tabled by electronic vote (91-7).

Representative Ballance offers Amendment No. 11 which fails of adoption by electronic vote (11-92).

Representative Musselwhite offers Amendment No. 12, which fails of adoption by electronic vote (45-65).

Representative Lancaster calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Barbee, Barker, Barnes, Beall, Beam, Beard, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Hudson, C. Hughes, J. Hughes, Hunter, Huskins, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Slaughter, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 108.

Voting in the negative: Representatives Ballance and Poovey — 2.

Excused absences: Representatives Berry, Holt, Hunt, and Seymour — 4.

H. B. 271, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCALITIES TO LEVY AD VALOREM TAXES FOR HOUSING PROGRAMS.

On motion of Representative Cook, the bill is re-referred to the Committee on Housing.

H. B. 277, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCALITIES TO SPEND SALES TAX REVENUE ON HOUSING.

Representative Cook offers Amendment No. 1 which is adopted by electronic vote (77-27).

Representative Hudson offers Amendment No. 2.

Representative Cook moves, seconded by Representative Hackney, that Amendment No. 2 do lie upon the table.

Representative Hudson moves, seconded by Representative Slaughter, that the bill and Amendment No. 2 do lie upon the table.

The Speaker rules that Representative Hudson's motion is in order because the question before the House is the tabling of the amendment rather than the adoption of the amendment.

Representative Helms moves, seconded by Representative Blue, that the House adjourn to reconvene March 30, 1983 at 1:30 p.m. This motion fails to pass by electronic vote (53-54).

Now the question is the motion of Representative Hudson that the bill and Amendment No. 2 do lie upon the table. This motion carries by electronic vote (58-47).

Committee Substitute for H. B. 295, A BILL TO BE ENTITLED AN ACT TO PERMIT A REGISTERED VOTER WHO HAS MOVED FROM ONE PRECINCT TO ANOTHER WITHIN THE SAME COUNTY MORE THAN THIRTY DAYS BEFORE AN ELECTION TO RECORD A CHANGE OF ADDRESS ON ELECTION DAY AND VOTE IN THE OFFICE OF THE COUNTY BOARD OF ELECTIONS OR AT ANOTHER LOCATION DESIGNATED BY THE BOARD.

On motion of Representative Barnes, consideration of the bill is postponed until March 30, 1983.

Committee Substitute for H. B. 40, A BILL TO BE ENTITLED AN ACT TO SUBJECT NURSING HOME BEDS IN HOSPITALS TO THE NURSING HOME PATIENTS BILL OF RIGHTS.

On motion of Representative Economos, consideration of the bill is postponed until April 5, 1983.

On motion of Representative Quinn, seconded by Representative Helms, the House adjourns to reconvene March 30, 1983 at 1:30 p.m.

FIFTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, March 30, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Grimsley.

Representative Quinn, for the Committee on Rules and Operation of the House, reports the Journal of March 29 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Berry, Hunt, and Seymour for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Hightower for the Committee on Insurance:

H. B. 554, A BILL TO BE ENTITLED AN ACT PERTAINING TO INSURANCE AND REGULATION OF HAZARDOUS WASTE LANDFILL FACILITIES, with a favorable report, as amended.

By Representative Lutz for the Committee on Local Government No. 2:

H. B. 439, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AS TO THE CITY OF GASTONIA, MEMBERS OF THE CITY COUNCIL EXCUSED FROM VOTING SHALL NOT BE INCLUDED IN DETERMINING THE RESULTS OF A VOTE ON A ZONING PROTEST PETITION, with a favorable report.

H. B. 462, A BILL TO BE ENTITLED AN ACT TO ALLOW MECKLENBURG COUNTY TO INCLUDE STORM DRAINAGE REPAIRS AND IMPROVEMENTS AND STREET LIGHTING AS SPECIAL ASSESSMENTS, with a favorable report, as amended.

H. B. 495, A BILL TO BE ENTITLED AN ACT EXEMPTING FROM THE PROVISIONS OF ARTICLE 12, CHAPTER 160A, OF THE GENERAL STATUTES OF NORTH CAROLINA, THE COUNTY OF IREDELL, AS TO LEASES OR SALES OF REAL ESTATE OWNED BY IT KNOWN AS THE LOWRANCE HOSPITAL PROPERTY AND THE PERSONAL PROPERTY USED FOR THE HOSPITAL AND MEDICAL CARE PURPOSES, with a favorable report, as amended.

H. B. 501, A BILL TO BE ENTITLED AN ACT TO CONFORM THE ELECTION REQUIREMENTS FOR THE LINCOLN COUNTY BOARD OF EDUCATION TO THE GENERAL ELECTION LAW, with a favoarble report.

H. B. 506, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF SHELBY TO ESTABLISH, OPERATE AND MAINTAIN A PUBLIC MARKET, with a favorable report.

H. B. 507, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE BUNCOMBE SCHOOL CAPITAL FUND COMMISSION, with a favorable report, as amended.

H. B. 535, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT BUNCOMBE COUNTY SHALL BE GOVERNED BY A BOARD OF COMMISSIONERS

ELECTED TOGETHER, AND SHALL BE UNDER THE COUNTY-MANAGER PLAN, with a favorable report.

H. B. 532, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE HIGH POINT CAREER SERVICE LAW, with a favorable report.

S. B. 150, A BILL TO BE ENTITLED AN ACT TO PROVIDE SIMPLIFIED PROCEDURES FOR DISPOSAL BY CITIES, COUNTIES, AND SANITARY DISTRICTS OF PERSONAL PROPERTY WITH MINIMAL VALUE, with a favorable report.

By Representative McDowell for the Committee on Corrections:

H. B. 472, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DISPOSITION OF CONTRABAND CONFISCATED FROM PRISONERS, with a favorable report.

By Representative Helms for the Committee on Courts and Administration of Justice:

H. B. 512, A BILL TO BE ENTITLED AN ACT RELATING TO USE OF LISTS OF LICENSED DRIVERS FOR JURY DUTY, AND THE NUMBER OF NAMES ON THE JURY LIST, with a favorable report.

On motion of Representative Helms, the bill is placed on the Calendar for April 4, 1983.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Bruce Ethridge, Barker, Fulcher, Jones, Tyndall, and Warren:

H. B. 563, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE SWANSBORO UNDERWATER ARCHAEOLOGICAL PROJECT, is referred to the Committee on Cultural Resources.

By Representative Jordan:

H. B. 564, A BILL TO BE ENTITLED AN ACT TO LIMIT THE STATE SUBSIDY OF THE UNIVERSITY OF NORTH CAROLINA OUT-OF-STATE TUITION, is referred to the Committee on Higher Education.

By Representative Mauney:

H. B. 565, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 20-79.2 PERTAINING TO TRANSPORTER REGISTRATION PLATES, is referred to the Committee on Transportation.

By Representatives Jeralds, Beard, Clark, Edwards, and Tyson:

H. B. 566, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF FAYETTEVILLE TO EXERCISE CERTAIN LAND ACQUISITION AND DISPOSAL PROCEDURES, is referred to the Committee on Local Government No. 1.

By Representatives Mauney and Mavretic:

H. B. 567, A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES 14-107 TO MANDATE RESTITUTION FOR WORTHLESS CHECKS THROUGH COMMUNITY SERVICE WORK, IF NEEDED, is referred to the Committee on Small Business.

By Representatives Jones, Bowen, Pool, and Warren:

H. B. 568, A BILL TO BE ENTITLED AN ACT TO PERMIT THE TOWNS OF CLINTON AND GRIFTON TO COLLECT AUTO TAXES OF NOT MORE THAN FIVE DOLLARS, is referred to the Committee on Finance.

By Representative Enloe:

H. B. 569, A BILL TO BE ENTITLED AN ACT TO ANNEX A CERTAIN TRACT OF LAND TO THE TOWN OF MURPHY, is referred to the Committee on Local Government No. 2.

By Representatives Blue, Adams, Cook, Fussell, Musselwhite, and Stamey:

H. B. 570, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF RALEIGH, CONCERNING RESERVATION OF SITES AND CONCERNING STREET CONSTRUCTION, is referred to the Committee on Local Government No. 1.

By Representatives Blue, Adams, Cook, Fussell, Musselwhite, and Stamey:

H. B. 571, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF RALEIGH TO PERMIT PAYMENTS IN LIEU OF DEDICATION OF LAND OR ACTUAL CONSTRUCTION OF REQUIRED IMPROVEMENTS IN THE APPROVAL OF SUBDIVISIONS, is referred to the Committee on Local Government No. 1.

By Representatives Evans and James:

H. B. 572, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM ROADS IN PART OF PERQUIMANS COUNTY, is referred to the Committee on Wildlife Resources.

By Representatives Evans and James:

H. B. 573, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DARE COUNTY BOARD OF COMMISSIONERS TO ABOLISH OR REDUCE THE SIZE OF THE KITTY HAWK FIRE PROTECTION DISTRICT, AND TO CHANGE THE NAME OF THE DISTRICT, is referred to the Committee on Local Government No. 1.

By Representative Poovey:

H. B. 574, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF MAIDEN TO MAKE STREET AND SIDEWALK IMPROVEMENTS AND ASSESS THE COST AGAINST ABUTTING PROPERTY OWNERS WITHOUT A PETITION, is referred to the Committee on Local Government No. 2.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 325, AN ACT TO AMEND THE WEIGHTS AND MEASURES LAW CONCERNING SCALE TECHNICIANS.

CALENDAR

Action is taken on the following:

Committee Substitute for H. B. 247, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN TOWNSHIPS TO VOTE ON ALCOHOLIC BEVERAGES SALES AND TO ALLOW OFF-PREMISES UNFORTIFIED WINE SALES IN TOWNSHIPS THAT HAVE VOTED TO PERMIT THE SALE OF MIXED BEVERAGES.

On motion of Representative Auman, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 483, A BILL TO BE ENTITLED AN ACT TO ALLOW THE LINCOLN COUNTY BOARD OF EDUCATION TO PAY ITS TEN-MONTH EMPLOYEES ON OR BEFORE THE FIFTEENTH DAY OF EACH MONTH.

On motion of Representative Mauney, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

House Committee Substitute for Senate Committee Substitute No. 2 for S. B. 1, A BILL TO BE ENTITLED AN ACT TO PROVIDE SAFE ROADS BY REQUIRING MANDATORY JAIL TERMS FOR GROSSLY AGGRAVATED DRUNKEN DRIVERS, PROVIDING AN EFFECTIVE DETERRENT TO REDUCE THE INCIDENCE OF IMPAIRED DRIVING, AND CLARIFYING THE STATUTES RELATED TO DRINKING AND DRIVING.

Representative Economos offers Amendment No. 13.

On motion of Representative Lancaster, seconded by Representative Adams, Amendment No. 13 is tabled by electronic vote (91-22).

Representative Bruce Ethridge offers Amendment No. 14.

Representative Bruce Ethridge calls the previous question on the amendment and the call is sustained.

Amendment No. 14 fails of adoption by electronic vote (50-64).

Representative Lilley offers Amendment No. 15 which fails of adoption by electronic vote (41-71).

Representative Lancaster calls the previous question on the passage of the bill and the call is sustained by electronic vote (71-39).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Barbee, Barker, Barnes, Beall, Beam, Beard, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunter, Huskins, James, Jarrell, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister,

McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 111.

Voting in the negative: Representatives Ballance and Poovey — 2.

Excused absences: Representatives Berry, Hunt, and Seymour — 3.

Representative Bowen requests and is granted permission by the Speaker to change his vote from "no" to "aye".

H. B. 270, A BILL TO BE ENTITLED AN ACT TO MAKE THE MINIMUM HOUSING STANDARDS APPLY TO MOBILE HOMES.

Representative Jordan offers Amendment No. 4 which fails of adoption by electronic vote (22-68).

Representative Brannan calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its third reading, by electronic vote (87-22), and is ordered engrossed and sent to the Senate.

House Committee Substitute for S. B. 120, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE COURT TO ORDER DIRECT PAYMENT FOR FEES FOR APPOINTED COUNSEL, passes its third reading, by electronic vote (92-7), and is ordered sent to the Senate for concurrence in House committee substitute.

H. B. 281, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE ELECTION LAWS RELATIVE TO ACCESS TO THE VOTING ENCLOSURE, MAILING OF NOTICES OF CANCELLATION, USE OF TAX SUPPORTED BUILDINGS FOR VOTING, AND COUNTING OF PRIMARY BALLOTS.

Representative Slaughter offers Amendment No. 2 which is adopted by electronic vote (104-0).

The bill, as amended, passes its third reading, by electronic vote (102-0), and is ordered engrossed and sent to the Senate.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

Senate Committee Substitute for House Committee Substitute for H. B. 336, A BILL TO BE ENTITLED AN ACT TO REGAIN THE STATE'S AUTHORITY OVER INTEREST LAWS, AND TO MAKE APPROPRIATE CHANGES IN THE STATE'S INTEREST LAWS, is returned for concurrence in Senate committee substitute, as amended.

On motion of Representative Adams, the rules are suspended and the Senate committee substitute bill is placed on the Calendar for immediate consideration.

On motion of Representative Adams, the House concurs in the Senate committee substitute bill, as amended, by electronic vote (79-18), and the bill is ordered enrolled.

CALENDAR (continued)

Committee Substitute for H. B. 295, A BILL TO BE ENTITLED AN ACT TO

PERMIT A REGISTERED VOTER WHO HAS MOVED FROM ONE PRECINCT TO ANOTHER WITHIN THE SAME COUNTY MORE THAN THIRTY DAYS BEFORE AN ELECTION TO RECORD A CHANGE OF ADDRESS ON ELECTION DAY AND VOTE IN THE OFFICE OF THE COUNTY BOARD OF ELECTIONS OR AT ANOTHER LOCATION DESIGNATED BY THE BOARD.

On motion of Representative Barnes, consideration of the bill is postponed until March 31, 1983.

S. B. 189, A BILL TO BE ENTITLED AN ACT TO MAKE A TECHNICAL CORRECTION IN G. S. 161-22, passes its second reading, by electronic vote (88-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

H. B. 432, A BILL TO BE ENTITLED AN ACT TO CLARIFY A MARRIED WOMAN'S DOMICILE FOR TAX PURPOSES.

On motion of Representative Barnes, consideration of the bill is postponed until March 31, 1983.

H. B. 329, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 115C-41 PERTAINING TO ORGANIZATION OF LOCAL BOARDS OF EDUCATION, passes its second reading, by electronic vote (90-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

On motion of Representative Lilley, House Rule 31.1 is suspended and the date for the filing of local bills is extended to April 15, 1983 at 3:00 p.m.

On motion of Representative Quinn, seconded by Representative Black, the House adjourns to reconvene March 31, 1983 at 1:30 p.m.

FIFTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Thursday, March 31, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Edwards.

Representative Quinn, for the Committee on Rules and Operation of the House, reports the Journal of March 30 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Berry, Helms, Holt, C. Hughes, Hunt, Lilley, and Seymour for today.

THE RECEIVING OF PETITIONS, MEMORIALS AND PAPERS ADDRESSED TO THE GENERAL ASSEMBLY OR TO THE HOUSE

The following resolution, having been received by the House, is read by its title and filed in the Office of the Principal Clerk.

From the State of South Carolina, HOUSE CONCURRENT RESOLUTION No. 2498, A Concurrent Resolution to accept the invitation of the North Carolina General Assembly to play them in basketball on May 18, 1983, at the Reynolds Coliseum in Raleigh, North Carolina.

The resolution in its entirety may be found in the Appendix.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Quinn for the Committee on Finance:

H. B. 427, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONDITIONS OF AN ASSESSMENT ON YAM PRODUCERS WHICH MAY BE AUTHORIZED IN A PRODUCERS' REFERENDUM, with a favorable report.

H. B. 440, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE NORTH CAROLINA PHARMACY PRACTICE ACT, with a favorable report.

H. B. 529, A BILL TO BE ENTITLED AN ACT TO ALLOW THE PERSONAL REPRESENTATIVE IN CERTAIN SITUATIONS TO WITHDRAW FROM JOINT BANK DEPOSITS WITHOUT OBTAINING A TAX WAIVER FROM THE SECRETARY OF REVENUE, with a favorable report.

S. B. 131, A BILL TO BE ENTITLED AN ACT CONCERNING BOLL WEEVIL ERADICATION, with a favorable report.

S. B. 202, A BILL TO BE ENTITLED AN ACT TO REVISE THE LICENSE FEES FOR HUNTING, TRAPPING, FISHING AND DEALING IN FURS, with a favorable report.

By Representative Bumgardner for the Committee on Transportation:

H. B. 477, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FINE FOR ILLEGALLY PARKING IN A PROPERLY DESIGNATED HANDICAPPED PARKING SPACE, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Finance.

On motion of Representative Bumgardner, Committee Amendment No. 1 is adopted and the bill is ordered engrossed and is re-referred to the Committee on Finance.

H. B. 487, A BILL TO BE ENTITLED AN ACT PERTAINING TO NOTIFICATION OF CHANGE OF ADDRESS BY HOLDERS OF MOTOR VEHICLE LEARNERS' PERMITS AND SPECIAL IDENTIFICATION CARDS, with a favorable report.

By Representative Economos for the Committee on Aging:

S. B. 13, A BILL TO BE ENTITLED AN ACT TO SUBJECT NURSING HOME BEDS IN HOSPITALS TO THE NURSING HOME PATIENTS BILL OF RIGHTS, with a favorable report.

On motion of Representative Economos, the bill is placed on the Calendar for April 5, 1983.

H. B. 516, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS TO PERMIT MECKLENBURG COUNTY TO PARTICIPATE IN THE COMPREHENSIVE

SCREENING PROGRAM FOR THE ELDERLY PURSUANT TO CHAPTER 675, 1981 SESSION LAWS, with a favorable report and recommendation that the bill be re-referred to the Committe on Appropriations.

By Representative Bruce Ethridge for the Committee on Natural and Economic Resources:

H. B. 223, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE COASTAL RESOURCES COMMISSION TO SET A FEE OF UP TO ONE HUNDRED DOLLARS FOR A CAMA MAJOR DEVELOPMENT PERMIT, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

H. B. 225, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MEMBERSHIP OF THE COASTAL RESOURCES ADVISORY COUNCIL, with a favorable report.

By Representative Gentry for the Committee on Election Laws:

H. B. 201, A BILL TO BE ENTITLED AN ACT TO REQUIRE A MAJORITY OF LANDOWNERS FOR THE CREATION OF A RURAL FIRE PROTECTION DISTRICT, with a favorable report, as amended.

H. B. 536, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON WHO RECEIVES A SUBSTANTIAL PLURALITY OF THE VOTES AND IS THE CLEAR WINNER IN THE PRIMARY FOR OTHER THAN A COUNTY OR MUNICIPAL OFFICE SHALL BE THE NOMINEE OF THE PARTY, with an unfavorable report.

S. B. 84, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT FUNDS FROM THE NORTH CAROLINA ELECTION CAMPAIGN FUND SHALL BE DISTRIBUTED TO POLITICAL PARTIES ON A PRO RATA BASIS ACCORDING TO PARTY VOTER REGISTRATION, with a favorable report.

By Representative Miller for the Committee on Judiciary No. 1:

H. B. 331, A BILL TO BE ENTITLED AN ACT TO CHANGE THE ELIGIBILITY FOR APPOINTMENT OF COUNSEL FOR INDIGENTS FOR REHEARINGS PURSUANT TO CHAPTER 122 OF THE GENERAL STATUTES, with a favorable report, as amended.

H. B. 332, A BILL TO BE ENTITLED AN ACT TO REQUIRE REPORTING OF ALL CASES OF ABUSED JUVENILES TO THE DISTRICT ATTORNEY, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for April 4, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 413, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE EQUITABLE DISTRIBUTION ACT, with a favorable report, as amended.

H. B. 414, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COURT TO ENJOIN THE DISPOSAL OF MARITAL PROPERTY PENDING INSTITUTION OF AN EQUITABLE DISTRIBUTION ACTION, with a favorable report.

H. B. 442, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE BOARD OF LAW EXAMINERS' AUTHORITY REGARDING FINGERPRINTS, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Miller, Foster, and Holt:

H. B. 575, A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN OBSCENITY STATUTES, is referred to the Committee on Judiciary No. 1.

By Representatives Barker, Anderson, and Lilley:

H. B. 576, A BILL TO BE ENTITLED AN ACT TO REAPPORTION THE NEW BERN–CRAVEN COUNTY BOARD OF EDUCATION AND TO REDUCE ITS SIZE FROM TWELVE TO SEVEN MEMBERS, is referred to the Committee on Local Government No. 1.

By Representatives Hasty, DeVane, and Locks:

H. B. 577, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE MATCHING FUNDS TO ASSIST IN THE REHABILITATION OF THE CAROLINA THEATER IN ROBESON COUNTY, is referred to the Committee on Cultural Resources.

By Representatives Cook, Adams, Blue, Fussell, Musselwhite, and Stamey:

H. B. 578, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE WAKE COUNTY ABC BOARD CONSIST OF FIVE MEMBERS, is referred to the Committee on Local Government No. 1.

By Representatives Brennan and Economos:

H. B. 579, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MINIMUM AMOUNT FOR CONSTRUCTION CONTRACTS WHICH REQUIRE PERFORMANCE AND PAYMENT BONDS, is referred to the Committee on Local Government No. 2.

By Representatives Brennan, Easterling, and Economos:

H. B. 580, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE TO PROVIDE FOR AN ALTERNATIVE EMINENT DOMAIN PROCEDURE, is referred to the Committee on Local Government No. 2.

By Representative Brennan:

H. B. 581, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE MATCHING FUNDS FOR COUNTY DAY-CARE COORDINATING AGENCIES, is referred to the Committee on Appropriations.

By Representatives Pool and Bowen:

H. B. 582, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF CLINTON TO COLLECT AN AUTO TAX OF NOT MORE THAN FIVE DOLLARS, is referred to the Committee on Finance.

By Representative Fenner:

H. B. 583, A BILL TO BE ENTITLED AN ACT TO PROVIDE TIME TO STUDY THE NEED FOR NEW INTERMEDIATE CARE FACILITY BEDS FOR THE MENTALLY RETARDED, is referred to the Committee on Mental Health.

By Representative Auman:

H. B. 584, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DIVISION OF VOCATIONAL REHABILITATION SERVICES OF THE DEPARTMENT OF HUMAN RESOURCES IN THE SUM OF ONE HUNDRED FIFTY THOUSAND DOLLARS TO ESTABLISH A SHELTERED WORKSHOP IN MOORE COUNTY, is referred to the Committee on Appropriations.

By Representative Auman:

H. B. 585, A BILL TO BE ENTITLED AN ACT REGARDING JURISDICTION OF THE PINEHURST POLICE, is referred to the Committee on Law Enforcement.

By Representatives Rhodes and Payne:

H. B. 586, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 26 OF THE PRIVATE LAWS OF 1937, AS AMENDED, TO PROVIDE THAT THE FIREMEN'S PENSION FUND OF WILMINGTON SHALL BE ADMINISTERED BY THE PENSION BOARD OF THE CITY OF WILMINGTON, is referred to the Committee on Pensions and Retirement.

By Representatives Rhodes and Payne:

H. B. 587, A BILL TO BE ENTITLED AN ACT TO PROVIDE A FIREMEN'S BENEFIT FUND FOR FIREMEN IN THE CITY OF WILMINGTON AND TO MODIFY THE APPLICATION OF G. S. 118-5, G. S. 118-6, AND G. S. 118-7 TO THE CITY OF WILMINGTON, is referred to the Committee on Pensions and Retirement.

By Representatives Rhodes and Payne:

H. B. 588, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 495 OF THE SESSION LAWS OF 1977 TO CLARIFY THE EFFECT OF SAID ACT, WHICH IS A CODIFICATION OF THE CHARTER OF THE CITY OF WILMINGTON, ON OTHER ACTS, is referred to the Committee on Pensions and Retirement.

By Representatives Rhodes and Payne:

H. J. R. 589, A JOINT RESOLUTION DESIGNATING WILMINGTON AS AN INTERNATIONAL CITY, is referred to the Committee on Rules and Operation of the House.

By Representatives Rhodes and Payne:

H. B. 590, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON TO DELETE REFERENCES TO THE POSITION OF CITY TREASURER, is referred to the Committee on Local Government No. 2.

By Representatives Rhodes and Payne:

H. B. 591, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON TO PROVIDE FOR THE LICENSING AND REGULATION OF VEHICLES FOR HIRE, is referred to the Committee on Local Government No. 2.

By Representatives Rhodes and Payne:

H. B. 592, A BILL TO BE ENTITLED AN ACT TO ALLOW THE NEW HANOVER COUNTY BOARD OF EDUCATION TO PAY ITS TEN-MONTH EMPLOYEES ON OR BEFORE THE EIGHTEENTH DAY OF EACH MONTH, is referred to the Committee on Education.

By Representatives Colton, Brennan, and Burnley:

H. B. 593, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DAY-CARE LICENSING INSPECTIONS, is referred to the Committee on Human Resources.

By Representatives Colton and Brennan:

H. J. R. 594, A JOINT RESOLUTION REQUESTING THAT THE LEGISLATIVE RESEARCH COMMISSION STUDY OF DAY CARE BE CONTINUED, is referred to the Committee on Rules and Operation of the House.

By Representative Barbee:

H. J. R. 595, A JOINT RESOLUTION AUTHORIZING CONTINUATION OF THE JOINT SPECIAL COMMITTEE TO REVIEW THE DEPARTMENT OF TRANSPORTATION, is referred to the Committee on Rules and Operation of the House.

By Representative Hackney:

H. B. 596, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE INJURED PARTY TO TESTIFY AS TO MEDICAL BILLS, is referred to the Committee on Judiciary No. 1.

By Representatives Hudson, Quinn, Slaughter, and Thomas:

H. B. 597, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF WEDDINGTON IN UNION COUNTY, is referred to the Committee on Local Government No. 1.

By Representative Greenwood:

H. B. 598, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE DIVISION OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES FROM THE SOCIAL SERVICES COMMISSION'S TITLE XX RULE MAKING AUTHORITY, is referred to the Committee on Mental Health.

By Representatives Lilley, Anderson, and Barker:

H. B. 599, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LENOIR COUNTY TO PERMIT DISPOSITION OF LAND FOR A SPECIAL PURPOSE AT FAIR MARKET VALUE WITHOUT COMPETITIVE BIDDING: TO PERMIT DISPOSITION OF LAND ON THE BASIS OTHER THAN THE HIGHEST MONETARY BID, WHERE SUCH DISPOSITION IS FOUND TO SERVE THE BEST INTEREST OF THE MUNICIPALITY, AND TO DISPOSE OF PROPERTY AT PRIVATE SALE, is referred to the Committee on Local Government No. 1.

By Representatives Slaughter, Hudson, Quinn, and Thomas:

H. B. 600, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MEMBERSHIP OF THE INDUSTRIAL DEVELOPMENT COMMISSION FOR STANLY COUNTY, is referred to the Committee on Local Government No. 1.

By Representatives Slaughter, Hudson, Quinn, and Thomas:

H. B. 601, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE STANLY COUNTY BOARD OF COMMISSIONERS MAY DESIGNATE A COMMISSIONER TO SERVE EX OFFICIO ON THE STANLY COUNTY AIRPORT AUTHORITY, is referred to the Committee on Local Government No. 1.

By Representative Rhodes:

H. B. 602, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR NONPARTISAN ELECTIONS FOR THE NEW HANOVER COUNTY BOARD OF EDUCATION, is referred to the Committee on Local Government No. 2.

By Representatives Rhodes and Payne:

H. B. 603, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 55 OF THE PRIVATE LAWS OF 1915, AS AMENDED, TO PROVIDE THAT THE POLICE PENSION FUND OF WILMINGTON SHALL BE ADMINISTERED BY THE PENSION BOARD OF THE CITY OF WILMINGTON, is referred to the Committee on Pensions and Retirement.

By Representatives Hunter, Beam, Chapin, Cochrane, Creecy, Gillam, Grimsley, Hackney, Lacey, McDowell, Varner, and Womble:

H. B. 604, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES CONCERNING VARIOUS BOARDS AND COMMISSIONS IN THE DEPARTMENT OF CORRECTION, is referred to the Committee on Corrections.

By Representative Hunter:

H. B. 605, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 20-13 AND G. S. 20-16 RELATING TO SUSPENSION OF DRIVERS' LICENSES OF PROVISIONAL LICENSEES AND LICENSEES HOLDING MOTOR VEHICLE OPERATORS' LICENSES, is referred to the Committee on Highway Safety.

By Representatives Fenner, Barbee, Matthews, and Mavretic:

H. B. 606, A BILL TO BE ENTITLED AN ACT TO ALLOW WILSON COUNTY TO LEASE HOSPITAL FACILITIES FOR LONGER THAN TEN YEARS, TO RESOLVE A CONFLICT BETWEEN TWO STATUTES, is referred to the Committee on Local Government No. 1.

By Representatives Fenner, Barbee, Matthews, and Mavretic:

H. B. 607, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM ROADS AND TO PROHIBIT DEER HUNTING ON THE LANDS OF ANOTHER WITHOUT THE CONSENT OF THE LANDOWNER IN WILSON COUNTY, is referred to the Committee on Wildlife Resources.

By Representatives Mavretic, Barbee, Fenner, and Matthews:

H. B. 608, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ADDITIONAL MEMBER ON THE EDGECOMBE COUNTY BOARD OF EDUCATION AND TO PROVIDE FOR THE NOMINATION AND ELECTION OF MEMBERS OF THE EDGECOMBE COUNTY BOARD OF EDUCATION, is referred to the Committee on Education.

By Representatives Gillam and Creecy:

H. B. 609, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE MATCHING FUNDS TO ASSIST IN THE RESTORATION AND REHABILITATION OF THE GALLERY THEATRE IN HERTFORD COUNTY, is referred to the Committee on Cultural Resources.

By Representatives Gillam and Creecy:

H. B. 610, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CONDUCT A SURVEY OF HISTORICALLY AND ARCHITECTURALLY SIGNIFICANT STRUCTURES IN THE TOWN OF AHOSKIE IN HERTFORD COUNTY AND TO PREPARE A NOMINATION OF A DOWNTOWN HISTORIC DISTRICT IN AHOSKIE TO THE NATIONAL REGISTER OF HISTORIC PLACES, is referred to the Committee on Cultural Resources.

By Representatives Edwards, Beard, Clark, Jeralds, and Tyson:

H. B. 611, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COMPENSATION OF THE CUMBERLAND COUNTY BOARD OF EDUCATION WILL BE SET BY GENERAL LAW, is referred to the Committee on Education.

By Representatives Evans and James:

H. B. 612, A BILL TO BE ENTITLED AN ACT TO REVISE THE STATUTES RELATING TO THE GAME COMMISSION OF CURRITUCK COUNTY, is referred to the Committee on Wildlife Resources.

By Representatives Evans and James:

H. B. 613, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TYRRELL COUNTY BOARD OF COMMISSIONERS TO ENTER INTO CERTAIN CONTRACTS WITHOUT COMPLYING WITH THE PROVISIONS OF CHAPTER 133 AND OF ARTICLE 8 OF CHAPTER 143 OF THE GENERAL STATUTES, is referred to the Committee on Local Government No. 1.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for H. B. 68, A BILL TO BE ENTITLED AN ACT TO EXTEND THE HOURS DURING WHICH THE INTENTIONAL SWEEPING OF GAME LANDS WITH LIGHTS AND THE INTENTIONAL SHINING OF LIGHTS ON DEER ARE PROHIBITED IN ADDITIONAL COUNTIES, is returned for concurrence in Senate committee substitute bill and is placed on the Calendar for April 1, 1983.

Senate Committee Substitute for H. B. 288, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITIES AND COUNTIES TO PROVIDE ALTERNATIVES FOR THE TRANSPORTATION OF INVOLUNTARILY COMMITTED RESPONDENTS, is returned for concurrence in Senate committee substitute bill and is placed on the Calendar for April 1, 1983.

Committee Substitute for S. B. 140, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT THAT CAN BE RECEIVED IN BENEFITS FROM THE LEXINGTON FIREMEN'S SUPPLEMENTAL RETIREMENT FUND, is read the first time and is referred to the Committee on Pensions and Retirement.

Senate Committee Substitute for H. B. 243, A BILL TO BE ENTITLED AN ACT TO CHANGE THE SIZE, TERMS, AND MANNER OF ELECTION OF THE RICHMOND COUNTY BOARD OF EDUCATION, SUBJECT TO A REFERENDUM, is returned for concurrence in Senate committee substitute, which changes the title.

On motion of Representative Lee, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Lee, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

S. B. 233, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT BUNCOMBE COUNTY SHALL BE GOVERNED BY A BOARD OF COMMISSIONERS ELECTED TOGETHER AND SHALL BE UNDER THE COUNTY-MANAGER PLAN.

The rules are suspended and the bill is read the first time.

On motion of Representative N. J. Crawford, the rules are suspended, and the bill is placed on today's Calendar.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 125, AN ACT TO ALLOW THE CHAPEL HILL–CARRBORO BOARD OF EDUCATION TO PAY ITS EMPLOYEES ON THE LAST WORKING DAY OF EACH MONTH.

H. B. 247, AN ACT TO ALLOW CERTAIN TOWNSHIPS TO VOTE ON ALCOHOLIC BEVERAGES SALES AND TO ALLOW OFF-PREMISES UNFORTIFIED WINE SALES IN TOWNSHIPS THAT HAVE VOTED TO PERMIT THE SALE OF MIXED BEVERAGES.

H. B. 357, AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF NEW HANOVER COUNTY TO CLOSE ROADS OR EASEMENTS THAT HAVE BEEN OFFERED FOR DEDICATION BUT NEVER ACCEPTED BY A PUBLIC BODY.

H. B. 365, AN ACT TO PERMIT THE CITY OF NEW BERN TO ENGAGE IN CERTAIN COMMUNITY DEVELOPMENT ACTIVITIES.

H. B. 369, AN ACT TO PROVIDE THAT PERMITS FOR PYROTECHNIC DISPLAYS WITHIN INCORPORATED MUNICIPALITIES IN CATAWBA COUNTY SHALL BE GRANTED BY THE CITY COUNCIL INSTEAD OF THE COUNTY COMMISSIONERS, AND TO PROVIDE THAT THE COUNTY COMMISSIONERS MAY DELEGATE THEIR PERMIT-GRANTING POWERS RELATING TO PYROTECHNIC DISPLAYS AND SALES OF EXPLOSIVES.

H. B. 397, AN ACT TO ELIMINATE THE REQUIREMENT THAT THE CITY OF ASHEVILLE PUBLISH ALL ORDINANCES IN FULL.

H. B. 424, AN ACT TO INCREASE THE MAXIMUM FINE FOR VIOLATION OF MECKLENBURG COUNTY ORDINANCES.

H. B. 425, AN ACT TO ALLOW CITIES AND COUNTIES TO CONTRACT FOR THE OPERATION OF HUMAN RELATIONS, COMMUNITY ACTION AND MANPOWER DEVELOPMENT PROGRAMS.

H. B. 429, AN ACT TO MAKE A TECHNICAL CORRECTION IN A REFERENCE TO A PLAT OF THE COUNTY BOUNDARY BETWEEN TYRRELL AND WASHINGTON COUNTIES.

H. B. 437, AN ACT TO PROVIDE THAT THE FILING PERIOD FOR CABARRUS

COUNTY BOARD OF EDUCATION SHALL BE THE SAME AS FOR COUNTY OFFICERS GENERALLY.

H. B. 441, AN ACT RELATED TO ZONING BY THE CITY OF ROCKY MOUNT.

H. B. 454, AN ACT TO ALLOW THE TOWN OF TROUTMAN TO APPOINT A TOWN ADMINISTRATOR.

H. B. 469, AN ACT TO INCREASE THE MILEAGE ALLOWANCE FOR THE DURHAM COUNTY BOARD OF EDUCATION.

H. B. 479, AN ACT TO PROVIDE THAT THE CITY OF REIDSVILLE MAY REDUCE WATER RATES OF SENIOR CITIZENS BY ONE DOLLAR PER MONTH.

H. B. 336, AN ACT TO REGAIN THE STATE'S AUTHORITY OVER INTEREST LAWS, AND TO MAKE APPROPRIATE CHANGES IN THE STATE'S INTEREST LAWS.

S. B. 189, AN ACT TO MAKE A TECHNICAL CORRECTION IN G. S. 161-22.

CALENDAR

Action is taken on the following:

H. B. 462, A BILL TO BE ENTITLED AN ACT TO ALLOW MECKLENBURG COUNTY TO INCLUDE STORM DRAINAGE REPAIRS AND IMPROVEMENTS AND STREET LIGHTING AS SPECIAL ASSESSMENTS.

On motion of Representative Easterling, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Ballance, Barbee, Barker, Beall, Beam, Beard, Black, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, J. W. Crawford, N. J. Crawford, Creecy, Easterling, Economos, Edwards, Bob Etheridge, Bruce Ethridge, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Holmes, Hudson, J. Hughes, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Quinn, Rabon, Redding, Roberts, Robinson, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Warren, Wicker, Womble, B. Woodard, and C. Woodard — 94.

Voting in the negative: None.

Excused absences: Representatives Berry, Helms, Holt, C. Hughes, Hunt, Lilley, and Seymour — 7.

H. B. 535, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT BUNCOMBE COUNTY SHALL BE GOVERNED BY A BOARD OF COMMISSIONERS ELECTED TOGETHER, AND SHALL BE UNDER THE COUNTY-MANAGER PLAN.

On motion of Representative N. J. Crawford, the bill is temporarily displaced in order that S. B. 233 may be considered at this time.

S. B. 233, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT BUNCOMBE COUNTY SHALL BE GOVERNED BY A BOARD OF COMMISSIONERS ELECTED TOGETHER AND SHALL BE UNDER THE COUNTY-MANAGER PLAN, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

On motion of Representative N. J. Crawford, H. B. 535 is placed on the Calendar for April 4, 1983.

H. B. 532, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE HIGH POINT CAREER SERVICE LAW, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 507, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE BUNCOMBE SCHOOL CAPITAL FUND COMMISSION.

On motion of Representative Greenwood, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 506, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF SHELBY TO ESTABLISH, OPERATE AND MAINTAIN A PUBLIC MARKET, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 501, A BILL TO BE ENTITLED AN ACT TO CONFORM THE ELECTION REQUIREMENTS FOR THE LINCOLN COUNTY BOARD OF EDUCATION TO THE GENERAL ELECTION LAWS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 495, A BILL TO BE ENTITLED AN ACT EXEMPTING FROM THE PROVISIONS OF ARTICLE 12, CHAPTER 160A, OF THE GENERAL STATUTES OF NORTH CAROLINA, THE COUNTY OF IREDELL, AS TO LEASES OR SALES OF REAL ESTATE OWNED BY IT KNOWN AS THE LOWRANCE HOSPITAL PROPERTY AND THE PERSONAL PROPERTY USED FOR THE HOSPITAL AND MEDICAL CARE PURPOSES.

On motion of Representative Huskins, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 439, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT AS TO THE CITY OF GASTONIA, MEMBERS OF THE CITY COUNCIL EXCUSED FROM VOTING SHALL NOT BE INCLUDED IN DETERMINING THE RESULTS OF A

VOTE ON A ZONING PROTEST PETITION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 295, A BILL TO BE ENTITLED AN ACT TO PERMIT A REGISTERED VOTER WHO HAS MOVED FROM ONE PRECINCT TO ANOTHER WITHIN THE SAME COUNTY MORE THAN THIRTY DAYS BEFORE AN ELECTION TO RECORD A CHANGE OF ADDRESS ON ELECTION DAY AND VOTE IN THE OFFICE OF THE COUNTY BOARD OF ELECTIONS OR AT ANOTHER LOCATION DESIGNATED BY THE BOARD.

On motion of Representative Barnes, consideration of the bill is postponed until April 5, 1983.

H. B. 401, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSUMER FINANCE ACT.

On motion of Representative Pulley, the bill is postponed indefinitely by electronic vote (99-4).

Committee Substitute for H. B. 146, A BILL TO BE ENTITLED AN ACT TO CLARIFY AGE LIMITS SET BY VARIOUS CRIMINAL STATUTES, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 38, A BILL TO BE ENTITLED AN ACT TO REWRITE THE CRIMINAL STATUTE REGARDING CONTRACTS BETWEEN LANDLORDS AND TENANTS.

Representative Hackney offers Amendment No. 1 which is adopted.

Representative Blue offers Amendment No. 2.

Representative Mavretic moves, seconded by Representative Warren, that Amendment No. 2 do lie upon the table. This motion fails to carry by electronic vote (41-60).

On motion of Representative Blue, Amendment No. 2 is withdrawn from consideration.

On motion of Representative Blue, consideration of the bill is postponed until April 6, 1983.

H. B. 432, A BILL TO BE ENTITLED AN ACT TO CLARIFY A MARRIED WOMAN'S DOMICILE FOR TAX PURPOSES.

On motion of Representative Barnes, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (97-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 554, A BILL TO BE ENTITLED AN ACT PERTAINING TO INSURANCE AND REGULATION OF HAZARDOUS WASTE LANDFILL FACILITIES.

On motion of Representative Hightower, Committee Amdendment No. 1 is adopted.

Representative Clark moves that the bill be re-referred to the Committee on Water and Air Resources. This motion fails to carry by electronic vote (40-56).

The bill, as amended, passes its second reading by electronic vote (69-22).

Representative Clark objects to the third reading. The bill remains on the Calendar.

S. B. 150, A BILL TO BE ENTITLED AN ACT TO PROVIDE SIMPLIFIED PROCEDURES FOR DISPOSAL BY CITIES, COUNTIES, AND SANITARY DISTRICTS OF PERSONAL PROPERTY WITH MINIMAL VALUE, passes its second reading by electronic vote (82-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

H. B. 472, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DISPOSITION OF CONTRABAND CONFISCATED FROM PRISONERS, passes its second reading by electronic vote (83-1).

Representative Lancaster objects to the third reading. The bill remains on the Calendar.

On motion of Representative Barbee, seconded by Representative Beard, the House adjourns to reconvene April 1, 1983 at 11:00 a.m.

FIFTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Friday, April 1, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Womble.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of March 31 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Anderson, Berry, Black, Chapin, Helms, Holt, and Seymour for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Lambeth for the Committee on Wildlife Resources:

H. B. 375, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ALL VESSELS IN MECKLENBURG COUNTY CARRY A PERSONAL FLOTATION DEVICE, with a favorable report, as amended.

By Representative Wright for the Committee on Judiciary No. 2:

H. B. 177, A BILL TO BE ENTITLED AN ACT PROVIDING COMPENSATION FOR INNOCENT VICTIMS OF CRIME, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Finance.

On motion of Representative C. Woodard, Committee Amendment No. 1 is adopted and the bill is ordered engrossed and re-referred to the Committee on Finance.

By Representative Evans for the Committee on Banks and Thrift Institutions:

S. B. 118, A BILL TO BE ENTITLED AN ACT TO ALLOW STATE AND LOCAL GOVERNMENTS AND PUBLIC AUTHORITIES TO DEPOSIT PUBLIC MONEYS AT INTEREST IN ANY SAVINGS AND LOAN ASSOCIATION IN THE STATE, AND TO DESIGNATE AS OFFICIAL DEPOSITORIES ONE OR MORE SAVINGS AND LOAN ASSOCIATIONS IN THIS STATE, with a favorable report, as amended.

S. B. 119, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 54B OF THE GENERAL STATUTES OF NORTH CAROLINA RELATING TO SAVINGS AND LOAN ASSOCIATIONS, with a favorable report.

By Representative Bruce Ethridge for the Committee on Natural and Economic Resources:

H. B. 222, A BILL TO BE ENTITLED AN ACT TO EXPAND THE CIVIL PENALTIES FOR VIOLATIONS OF THE COASTAL AREA MANAGEMENT ACT, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Finance.

On motion of Representative Bruce Ethridge, Committee Amendment No. 1 is adopted and the bill is ordered engrossed and re-referred to the Committee on Finance.

By Representative Bumgardner for the Committee on Transportation:

Committee substitute for S. B. 96, A BILL TO BE ENTITLED AN ACT TO PERMIT VETERANS WHO ARE BOTH DISABLED AND HANDICAPPED TO PARK IN HANDICAPPED SPACES AT REDUCED COST, with an unfavorable report as to Senate committee substitute bill, favorable as to House committee substitute bill, which changes the title, and recommendation that it be re-referred to the Committee on Appropriations.

On motion of Representative Bumgardner, the House committee substitute bill is re-referred to the Committee on Appropriations. The Senate committee substitute bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Auman:

H. B. 614, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE MATCHING FUNDS FOR ENHANCEMENT OF THE CULTURAL PURPOSES OF WEYMOUTH CENTER, is referred to the Committee on Cultural Resources.

By Representatives Evans and James:

H. B. 615, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST THE RESTORATION OF THE CHICAMACOMICO COAST GUARD STATION AS A PUBLIC MUSEUM, is referred to the Committee on Cultural Resources.

By Representatives Evans and James:

H. B. 616, A BILL TO BE ENTITLED AN ACT REGARDING RETENTION AND

DESTRUCTION OF LIBRARY BOOKS IN DARE COUNTY, is referred to the Committee on Judiciary No. 3.

By Representative Lilley:

H. B. 617, A BILL TO BE ENTITLED AN ACT TO IMPOSE A SEPARATE PRIVILEGE LICENSE TAX ON PERSONS ENGAGED IN AN ALARM SYSTEM BUSINESS LICENSED UNDER THE PRIVATE PROTECTIVE SERVICES ACT, is referred to the Committee on Finance.

By Representatives Locks, DeVane, and Hasty:

H. B. 618, A BILL TO BE ENTITLED AN ACT TO REVISE THE CHARTER OF THE CITY OF LUMBERTON, is referred to the Committee on Local Government No. 2.

By Representatives Gillam, Creecy, and Matthews:

H. B. 619, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO IMPROVE THE EDUCATIONAL PROGRAM AND EDUCATIONAL FACILITIES FOR HISTORIC HOPE PLANTATION IN BERTIE COUNTY, is referred to the Committee on Cultural Resources.

By Representative Rabon;

H. B. 620, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF SOUTHPORT AND TO REPEAL PRIOR LOCAL ACTS, is referred to the Committee on Local Government No. 2.

By Representative Rabon:

H. B. 621, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT TEACHER WORKDAYS SCHEDULED WITHIN TEN DAYS OF ELECTION DAY BE SCHEDULED ON ELECTION DAY, is referred to the Committee on Education.

By Representatives Jordan and McAlister:

H. B. 622, A BILL TO BE ENTITLED AN ACT TO LIMIT THE ANNUAL INCREASE IN THE NUMBER OF COUNTY EMPLOYEES IN ALAMANCE AND ROCKINGHAM COUNTIES, is referred to the Committee on Local Government No. 1.

By Representatives Gentry, Diamont, and Hayden:

H. B. 623, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF KING IN STOKES COUNTY, is referred to the Committee on Local Government No. 2.

By Representative Gentry:

H. B. 624, A BILL TO BE ENTITLED AN ACT TO REPEAL LOCAL LEGISLATION REGARDING DEER HUNTING IN STOKES COUNTY, is referred to the Committee on Wildlife Resources.

By Representatives Colton, N. J. Crawford, Greenwood, and Nesbitt:

H. B. 625, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ASHEVILLE CITY BOARD OF EDUCATION TO PAY ITS TEN-MONTH EMPLOYEES ON OR BEFORE THE TENTH DAY OF EACH MONTH, is referred to the Committee on Education.

By Representatives Mauney and Bumgardner:

H. B. 626, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 16, SESSION LAWS OF 1957, is referred to the Committee on Local Government No. 2.

By Representatives Pool and Bowen:

H. B. 627, A BILL TO BE ENTITLED AN ACT TO AMEND THE SCHOOL BUDGET AND FISCAL CONTROL ACT AS IT APPLIES TO SAMPSON COUNTY CONCERNING APPROVAL OF EXPENDITURES SOME OR ALL OF WHICH ARE TO BE PAID IN ENSUING FISCAL YEARS, is referred to the Committee on Local Government No. 1.

By Representatives Pool and Bowen:

H. B. 628, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SAMPSON COUNTY TO LEVY ADDITIONAL ONE PERCENT SALES AND USE TAXES, is referred to the Committee on Finance.

By Representatives Quinn, Hudson, Ligon, Nash, and Thomas:

H. B. 629, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE CITY OF KANNAPOLIS SUBJECT TO A VOTE OF THE PEOPLE AND TO CREATE A COMMISSION TO DEVELOP ITS CHARTER, is referred to the Committee on Local Government No. 1.

By Representative Fletcher:

H. B. 630, A BILL TO BE ENTITLED AN ACT RESTRICTING THE USE OF LOCAL SALES AND USE TAX REVENUE IN BURKE COUNTY, is referred to the Committee on Local Government No. 1.

By Representative Brennan:

H. B. 631, A BILL TO BE ENTITLED AN ACT RELATING TO THE GRANTING OF SPECIAL USE PERMITS, CONDITIONAL USE PERMITS AND OTHER MATTERS IN MECKLENBURG COUNTY AND THE CITY OF CHARLOTTE, is referred to the Committee on Local Government No. 2.

By Representatives Beall, Enloe, Hightower, and Lee:

H. B. 632, A BILL TO BE ENTITLED AN ACT TO REVISE THE SAFE DRIVER INSURANCE PLAN TO ELIMINATE SURCHARGES FOR PROPERTY DAMAGE THAT DOES NOT EXCEED TWO HUNDRED DOLLARS, is referred to the Committee on Insurance.

By Representatives Beall, Enloe, Hightower, and Lee:

H. B. 633, A BILL TO BE ENTITLED AN ACT TO EXTEND TO PERSONS IN THE MOTOR VEHICLE REINSURANCE FACILITY THE BENEFITS OF DOWNWARD RATE DEVIATIONS THAT ARE FILED BY THEIR CEDING INSURERS, is referred to the Committee on Insurance.

By Representatives Beall, Enloe, Hightower, and Lee:

H. B. 634, A BILL TO BE ENTITLED AN ACT TO APPORTION MOTOR VEHICLE REINSURANCE FACILITY RECOUPMENT SURCHARGES IN A MORE EQUITABLE MANNER, is referred to the Committee on Insurance.

By Representatives Mavretic, Barbee, Fenner, and Matthews:

H. B. 635, A BILL TO BE ENTITLED AN ACT EXEMPTING FROM THE PROVISIONS OF ARTICLE 12, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, THE COUNTY OF EDGECOMBE AS TO LEASES OR SALES OF REAL ESTATE OWNED OR HEREAFTER OWNED BY IT FOR THE USE AND BENEFIT OF THE EDGECOMBE COUNTY DEVELOPMENT CORPORATION OR BY SUCH CORPORATION ITSELF, is referred to the Committee on Local Government No. 1.

By Representative Enloe:

H. B. 636, A BILL TO BE ENTITLED AN ACT TO ALLOW CLAY COUNTY TO DISPOSE OF CERTAIN PROPERTY AT PRIVATE SALE, is referred to the Committee on Local Government No. 2.

By Representative Enloe:

H. B. 637, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COUNTY OF GRAHAM TO EXCHANGE PROPERTY WITH THE UNITED STATES FOREST SERVICE, is referred to the Committee on Local Government No. 2.

By Representative Enloe:

H. B. 638, A BILL TO BE ENTITLED AN ACT TO RAISE THE FORCE ACCOUNT CONSTRUCTION LIMIT FOR MACON COUNTY, is referred to the Committee on Local Government No. 2.

By Representative Auman:

H. B. 639, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR MALCOLM BLUE HISTORICAL SOCIETY, is referred to the Committee on Cultural Resources.

By Representative Auman:

H. B. 640, A BILL TO BE ENTITLED AN ACT TO PROHIBIT DEER HUNTING WITH DOGS NORTH OF NC 27 IN MOORE COUNTY, is referred to the Committee on Wildlife Resources.

By Representatives Lutz and Hunt:

H. B. 641, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE DEVELOPMENT OF EDUCATIONAL PROGRAMS AND INTERPRETIVE EXHIBITS AND TO UPGRADE STORAGE FACILITIES AT THE CLEVELAND COUNTY HISTORICAL MUSEUM, is referred to the Committee on Cultural Resources.

By Representative McDowell:

H. B. 642, A BILL TO BE ENTITLED AN ACT TO CLARIFY STATE RESPONSIBILITY FOR JAILER TRAINING AND CERTIFICATION, is referred to the Committee on Corrections.

By Representative Bumgardner:

H. B. 643, A BILL TO BE ENTITLED AN ACT TO AMEND THE DAM SAFETY LAW RELATING TO THE DEFINITION OF THE TERM "DAM", is referred to the Committee on Public Utilities.

By Representative Bumgardner:

H. B. 644, A BILL TO BE ENTITLED AN ACT TO ALLOW GASTON COUNTY TO REGULATE VEHICLE TOWING BUSINESSES WITHIN THE UNINCORPORATED AREAS OF GASTON COUNTY, is referred to the Committee on Local Government No. 2.

By Representative Pulley:

H. B. 645, A BILL TO BE ENTITLED AN ACT TO RECODIFY THE PUBLIC HOSPITAL LAWS IN CHAPTER 131 OF THE GENERAL STATUTES, is referred to the Committee on Judiciary No. 4.

By Representative Barbee:

H. J. R. 646, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES AT 2:00 P.M., TUESDAY, APRIL 5, 1983, AND PROVIDING FOR CONSIDERATION AT THAT SESSION OF CONFIRMATION OF THE GOVERNOR'S APPOINTMENTS TO THE STATE BOARD OF EDUCATION.

On motion of Representative Barbee, the rules are suspended and the resolution is placed before the House for immediate consideration.

The resolution passes its second reading by electronic vote (95-0).

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

By Representatives Diamont, Gentry, and Hayden:

H. B. 647, A BILL TO BE ENTITLED AN ACT REGARDING DISCOUNTS FOR PAYMENTS OF PROPERTY TAX IN SURRY COUNTY, is referred to the Committee on Finance.

By Representatives Nesbitt, Colton, N. J. Crawford, and Greenwood:

H. B. 648, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TRANSYLVANIA COUNTY BOARD OF EDUCATION TO TRANSFER CERTAIN PROPERTY TO NONPROFIT CIVIC IMPROVEMENT ORGANIZATIONS, is referred to the Committee on Local Government No. 2.

By Representatives Nesbitt, Colton, N. J. Crawford, and Greenwood:

H. B. 649, A BILL TO BE ENTITLED AN ACT TO REVISE THE PARTS OF CHAPTER 162A OF THE GENERAL STATUTES RELATING TO METROPOLITAN SEWERAGE DISTRICTS, is referred to the Committee on Water and Air Resources.

By Representatives Musselwhite and Slaughter:

H. B. 650, A BILL TO BE ENTITLED AN ACT TO PROVIDE A FUEL TAX REFUND TO SOLID WASTE COMPACTING VEHICLES FOR THE AMOUNT OF FUEL CONSUMED BY THE VEHICLE IN COMPACTING WASTE, is referred to the Committee on Finance.

By Representative Wright:

H. B. 651, A BILL TO BE ENTITLED AN ACT TO AMEND THE ADOPTION STATUTES AND RELATED LAWS, is referred to the Committee on Judiciary No. 2.

By Representative Wright:

H. B. 652, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 14-320 CONCERNING THE SEPARATION OF CHILDREN FROM THEIR PARENTS, is referred to the Committee on Judiciary No. 2.

By Representative Wright:

H. B. 653, A BILL TO BE ENTITLED AN ACT TO CLARIFY A PUTATIVE FATHER'S RIGHT TO NOTICE OF AN ADOPTION, is referred to the Committee on Judiciary No. 2.

By Representative Wright:

H. B. 654, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PROCEDURE FOR REVOKING A CONSENT TO ADOPTION, is referred to the Committee on Judiciary No. 2.

By Representative Gillam:

H. B. 655, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST THE MARTIN COUNTY HISTORICAL SOCIETY, INC., IN THE RESTORATION OF THE ASA BIGGS HOMEPLACE, is referred to the Committee on Cultural Resources.

By Representatives Blue, Adams, Cook, Fussell, and Stamey:

H. B. 656, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN TERRITORY TO THE TOWN OF WAKE FOREST, is referred to the Committee on Local Government No. 1.

By Representatives Adams, Blue, Cook, Fussell, Musselwhite, and Stamey:

H. B. 657, A BILL TO BE ENTITLED AN ACT TO PROTECT THE INTEGRITY OF SWIFT CREEK TOWNSHIP, is referred to the Committee on Local Government No. 1.

By Representatives Cook, Adams, Barnes, Blue, Diamont, Bruce Ethridge, Fussell, Hauser, Hayden, Stamey, and Thomas:

H. B. 658, A BILL TO BE ENTITLED AN ACT TO PROTECT RENTERS OF APARTMENT BUILDINGS BEING CONVERTED TO CONDOMINIUMS, is referred to the Committee on Housing.

By Representatives Wicker, C. Hughes, and Wright:

H. B. 659, A BILL TO BE ENTITLED AN ACT TO IMPROVE AND ENHANCE REQUIRED AND ADVANCED TRAINING FOR NORTH CAROLINA'S LAW ENFORCEMENT OFFICERS, is referred to the Committee on Law Enforcement.

By Representatives Evans, Hayden, and Nesbitt:

H. J. R. 660, A JOINT RESOLUTION WITH RESPECT TO THE WORK OF THE COMMISSION ON THE FUTURE OF NORTH CAROLINA, is referred to the Committee on Rules and Operation of the House.

By Representative Evans:

H. B. 661, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 53 OF THE

GENERAL STATUTES OF NORTH CAROLINA RELATING TO BANKS, is referred to the Committee on Banks and Thrift Institutions.

By Representatives Evans and James:

H. B. 662, A BILL TO BE ENTITLED AN ACT TO CHANGE THE JURISDICTION OF THE ROANOKE VOYAGES CORRIDOR COMMISSION, is referred to the Committee on Local Government No. 2.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S. B. 168, A BILL TO BE ENTITLED AN ACT TO RESTRICT THE USE OF INTANGIBLE TAX REVENUE BY HENDERSON COUNTY, is read the first time and is referred to the Committee on Local Government No. 2.

Committee Substitute for S. B. 127, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING AND PROCEDURAL CHANGES TO THE LAW REGARDING EDUCATION FOR CHILDREN WITH SPECIAL NEEDS, is read the first time and is referred to the Committee on Education.

S. B. 161, A BILL TO BE ENTITLED AN ACT OT BROADEN THE CHIEF DISTRICT COURT JUDGE'S AUTHORIZATION TO ASSIGN MAGISTRATES TO TEMPORARY DUTY OUTSIDE THEIR COUNTY OF RESIDENCE, is read the first time and is referred to the Committee on Courts and Administration of Justice.

Committee Substitute for S. B. 182, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA PARKING FACILITIES REVENUE BOND ACT, is read the first time and is referred to the Committee on Finance.

S. B. 201, A BILL TO BE ENTITLED AN ACT TO AMEND THE RESTRICTIONS ON FORCE ACCOUNT WORK AS APPLIED TO THE CITY OF MONROE, is read the first time and is referred to the Committee on Local Government No. 2.

S. B. 214, A BILL TO BE ENTITLED AN ACT TO REPEAL OBSOLETE LOCAL ACTS RELATING TO PAY OF OFFICIALS OF FRANKLIN COUNTY, is read the first time and is referred to the Committee on Local Government No. 1.

S. B. 220, A BILL TO BE ENTITLED AN ACT TO REPEAL THE MARKETING OF FARMERS STOCK PEANUTS ACT, THE NORTH CAROLINA MEAT GRADING LAW, AND AN UNCONSTITUTIONAL PROVISION OF THE MARKETING AND BRANDING FARM PRODUCTS ACT, is read the first time and is referred to the Committee on Agriculture.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 243, AN ACT TO CHANGE THE SIZE, TERMS, AND MANNER OF ELECTION OF THE RICHMOND COUNTY BOARD OF EDUCATION.

S. B. 233, AN ACT TO PROVIDE THAT BUNCOMBE COUNTY SHALL BE GOVERNED BY A BOARD OF COMMISSIONERS ELECTED TOGETHER AND SHALL BE UNDER THE COUNTY-MANAGER PLAN.

S. B. 150, AN ACT TO PROVIDE SIMPLIFIED PROCEDURES FOR DISPOSAL

BY CITIES, COUNTIES, AND SANITARY DISTRICTS OF PERSONAL PROPERTY WITH MINIMAL VALUE.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for H. B. 68, A BILL TO BE ENTITLED AN ACT TO EXTEND THE HOURS DURING WHICH THE INTENTIONAL SWEEPING OF GAME LANDS WITH LIGHTS AND THE INTENTIONAL SHINING OF LIGHTS ON DEER ARE PROHIBITED IN ADDITIONAL COUNTIES.

On motion of Representative Huskins, the House concurs in the Senate committee substitute, which changes the title, by electronic vote (96-0), and the bill is ordered enrolled.

Senate Committee Substitute for H. B. 288, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITIES AND COUNTIES TO PROVIDE ALTERNATIVES FOR THE TRANSPORTATION OF INVOLUNTARILY COMMITTED RESPONDENTS.

On motion of Representative Lutz, the House concurs in the Senate committee substitute, by electronic vote (94-0), and the bill is ordered enrolled.

H. B. 462, A BILL TO BE ENTITLED AN ACT TO ALLOW MECKLENBURG COUNTY TO INCLUDE STORM DRAINAGE REPAIRS AND IMPROVEMENTS AND STREET LIGHTING AS SPECIAL ASSESSMENTS.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Allran, Auman, Ballance, Barnes, Beall, Beam, Beard, Brannan, Brennan, Brown, Brubaker, Bumgardner, Burnley, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holmes, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, Jarrell, Jeralds, Jones, Kennedy, Lacey, Lambeth, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Slaughter, Spaulding, Spoon, Tennille, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 97.

Voting in the negative: None.

Excused absences: Representatives Anderson, Berry, Black, Chapin, and Seymour — 5.

S. B. 202, A BILL TO BE ENTITLED AN ACT TO REVISE THE LICENSE FEES FOR HUNTING, TRAPPING, FISHING AND DEALING IN FURS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Auman, Ballance, Barker, Barnes, Beam, Beard, Bowen, Brannan, Brennan, Brown, Brubaker, Bumgardner, Burnley, Childress, Church, Clark, Coble, Cochrane, Cook, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley,

Hasty, Hauser, Hayden, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jones, Kennedy, Lacey, Lambeth, Lee, Lilley, Locks, Lutz, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Robinson, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Varner, Warren, Wicker, Womble, and B. Woodard — 90.

Voting in the negative: Representatives Beall, Enloe, Lancaster, McAlister, Tyson, and C. Woodard — 6.

Excused absences: Representatives Anderson, Berry, Black, Chapin, and Seymour — 5.

H. B. 487, A BILL TO BE ENTITLED AN ACT PERTAINING TO NOTIFICATION OF CHANGE OF ADDRESS BY HOLDERS OF MOTOR VEHICLE LEARNERS' PERMITS AND SPECIAL IDENTIFICATION CARDS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Auman, Ballance, Barker, Barnes, Beam, Beard, Bowen, Brannan, Brennan, Brown, Brubaker, Bumgardner, Burnley, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jones, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 102.

Voting in the negative: None.

Excused absences: Representatives Anderson, Berry, Black, Chapin, and Seymour — 5.

H. B. 554, A BILL TO BE ENTITLED AN ACT PERTAINING TO INSURANCE AND REGULATION OF HAZARDOUS WASTE LANDFILL FACILITIES.

Representative Diamont offers Amendment No. 2.

On motion of Representative Lilley, seconded by Representative Pulley, Amendment No. 2 is tabled by electronic vote (81-22).

Representative Bruce Etheridge moves that the bill be re-referred to the Committee on Water and Air Resources. This motion fails to pass by electronic vote (31-68).

Representative Hightower calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its third reading, by electronic vote (84-18), and is ordered engrossed and sent to the Senate.

H. B. 472, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DISPOSITION OF CONTRABAND CONFISCATED FROM PRISONERS, passes its third reading, by electronic vote (95-0), and is ordered sent to the Senate.

H. B. 427, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONDITIONS

OF AN ASSESSMENT ON YAM PRODUCERS WHICH MAY BE AUTHORIZED IN A PRODUCERS' REFERENDUM, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Auman, Barbee, Barker, Barnes, Beall, Beam, Blue, Bowen, Brannan, Brennan, Brown, Brubaker, Bumgardner, Burnley, Childress, Church, Cochrane, Colton, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holmes, Holt, Hudson, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Nash, Nesbitt, Owens, Pool, Poovey, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Slaughter, Spaulding, Spoon, Stamey, Thomas, Tyndall, Tyson, Varner, Warren, Womble, B. Woodard, C. Woodard, and Wright — 92.

Voting in the negative: None.

Excused absences: Representatives Anderson, Berry, Black, Chapin, Gillam, Seymour, and Wicker — 7.

H. B. 440, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE NORTH CAROLINA PHARMACY PRACTICE ACT, passes its second reading, by electronic vote (90-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 529, A BILL TO BE ENTITLED AN ACT TO ALLOW THE PERSONAL REPRESENTATIVE IN CERTAIN SITUATIONS TO WITHDRAW FROM JOINT BANK DEPOSITS WITHOUT OBTAINING A TAX WAIVER FROM THE SECRETARY OF REVENUE, passes its second reading, by electronic vote (91-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S. B. 131, A BILL TO BE ENTITLED AN ACT CONCERNING BOLL WEEVIL ERADICATION, passes its second reading, by electronic vote (85-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

H. B. 225, A BILL TO BE ENTITLED AN ACT TO MODIFY THE MEMBERSHIP OF THE COASTAL RESOURCES ADVISORY COUNCIL, passes its second reading, by electronic vote (92-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 201, A BILL TO BE ENTITLED AN ACT TO REQUIRE A MAJORITY OF LANDOWNERS FOR THE CREATION OF A RURAL FIRE PROTECTION DISTRICT.

On motion of Representative Hunter, Committee Amendment No. 1 is adopted.

Representative Hunter offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Allran, Auman, Barbee, Barker, Barnes, Beall, Blue, Bowen, Brannan, Brennan, Brown, Brubaker, Bumgardner, Burnley, Childress, Church, Coble, Cochrane, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Enloe, Bob Etheridge, Evans, Fletcher, Foster, Fulcher, Gentry, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holt, Hudson, J. Hughes, Hunt, Hunter, James, Jarrell, Jones, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Quinn, Rabon, Redding, Roberts, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyson, Varner, Warren, Womble, B. Woodard, C. Woodard, and Wright — 85.

Voting in the negative: None.

Excused absences: Representatives Anderson, Beard, Berry, Black, Chapin, Gillam, Seymour, and Wicker — 8.

S. B. 84, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT FUNDS FROM THE NORTH CAROLINA ELECTION CAMPAIGN FUND SHALL BE DISTRIBUTED TO POLITICAL PARTIES ON A PRO RATA BASIS ACCORDING TO PARTY VOTER REGISTRATION, passes its second reading, by electronic vote (53-37).

Representative Lee objects to the third reading. The bill remains on the Calendar.

H. B. 331, A BILL TO BE ENTITLED AN ACT TO CHANGE THE ELIGIBILITY FOR APPOINTMENT OF COUNSEL FOR INDIGENTS FOR REHEARINGS PURSUANT TO CHAPTER 122 OF THE GENERAL STATUTES.

On motion of Representative Hackney, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (84-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 413, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE EQUITABLE DISTRIBUTION ACT.

On motion of Representative Hackney, consideration of the bill is postponed until April 5, 1983.

H. B. 414, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COURT TO ENJOIN THE DISPOSAL OF MARITAL PROPERTY PENDING INSTITUTION OF AN EQUITABLE DISTRIBUTION ACTION.

On motion of Representative Hackney, consideration of the bill is postponed until April 5, 1983.

H. B. 442, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE BOARD OF LAW EXAMINERS' AUTHORITY REGARDING FINGERPRINTS, passes its second reading, by electronic vote (72-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
April 1, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the Senate fails to concur in House Committee Substitute for Senate Committee Substitute No. 2 for S. B. 1, A BILL TO BE ENTITLED AN ACT TO PROVIDE SAFE ROADS BY REQUIRING MANDATORY JAIL TERMS FOR GROSSLY AGGRAVATED DRUNKEN DRIVERS, PROVIDING AN EFFECTIVE DETERRENT TO REDUCE THE INCIDENCE OF IMPAIRED DRIVING, AND CLARIFYING THE STATUTES RELATED TO DRINKING AND DRIVING, and requests conferees. The President appoints Senators Barnes of Wayne, Royall, Rand, Marion, Warren, Hipps, and Harrington on the part of the Senate to confer with a like committee appointed by the House to the end that the differences arising may be adjusted.

Respectfully,
S/ SYLVIA M. FINK
Principal Clerk

On motion of Representative Hunt, seconded by Representative B. Woodard, the House adjourns to reconvene Monday, April 4, 1983 at 8:00 p.m.

FIFTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Monday, April 4, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Lilley.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of April 1 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Anderson, Kennedy, and Murphy for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Wright:

H. B. 663, A BILL TO BE ENTITLED AN ACT TO REVISE G. S. 47-30, is referred to the Committee on Judiciary No. 2.

By Representative Huskins:

H. B. 664, A BILL TO BE ENTITLED AN ACT TO REDEFINE A PORTION OF THE NORTHERN BOUNDARY OF THE CITY OF STATESVILLE, is referred to the Committee on Local Government No. 1.

By Representatives Hackney and Womble:

H. B. 665, A BILL TO BE ENTITLED AN ACT TO AMEND THE CORPORATION INCOME TAX ACT TO PROVIDE FOR SOLAR TAX CREDITS FOR CORPORATIONS ENGAGED IN SERVICE AS WELL AS MANUFACTURING BUSINESSES, is referred to the Committee on Energy.

By Representatives Hackney and Womble:

H. B. 666, A BILL TO BE ENTITLED AN ACT TO AMEND THE INDIVIDUAL INCOME TAX ACT TO PROVIDE FOR SOLAR TAX CREDITS FOR INDIVIDUALS' SERVICE AS WELL AS MANFACTURING BUSINESSES, is referred to the Committee on Energy.

By Representative Beall:

H. B. 667, A BILL TO BE ENTITLED AN ACT TO ALLOW HAYWOOD COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, is referred to the Committee on Finance.

By Representative Beall:

H. B. 668, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF RESEARCH FACILITIES AT THE NORTH CAROLINA STATE UNIVERSITY MOUNTAIN HORTICULTURAL CROPS RESEARCH STATION AT FLETCHER, NORTH CAROLINA, is referred to the Committee on Appropriations.

By Representatives Easterling, Berry, Black, Brennan, Economos, Foster, Helms, C. Hughes, and Spoon:

H. B. 669, A BILL TO BE ENTITLED AN ACT TO ESTABLISH RESPONSIBILITY FOR DIRT, MUD, AND OTHER DEBRIS ON PUBLIC ROADWAYS AND SIDEWALKS AS A RESULT OF CONSTRUCTION, is referred to the Committee on Local Government No. 2.

By Representatives Easterling, Brennan, Economos, Foster, and Helms:

H. B. 670, A BILL TO BE ENTITLED AN ACT REQUIRING THE OPERATOR OF ANY VESSEL OPERATED ON THE WATERS OF THE STATE TO STOP FOR A BLUE LIGHT AND SIREN EXHIBITED BY ANY LAW ENFORCEMENT OFFICER DURING THE PERFORMANCE OF DUTIES, is referred to the Committee on Local Government No. 2.

By Representatives Easterling and Bumgardner:

H. B. 671, A BILL TO BE ENTITLED AN ACT TO ALLOW APPRENTICE AND REGISTERED COSMETOLOGISTS FROM OTHER STATES TO BE ADMITTED TO PRACTICE COSMETIC ART IN NORTH CAROLINA THROUGH RECIPROCITY, is referred to the Committee on State Government.

By Representatives Warren and Jones:

H. B. 672, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE 1983 SOUTHERN FLUE-CURED TOBACCO FESTIVAL, is referred to the Committee on Cultural Resources.

By Representatives Hudson, Bowen, Hasty, Quinn, Slaughter, and Thomas:

H. B. 673, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 20-7.1 RELATING TO CHANGE OF ADDRESS ON OPERATOR'S LICENSE, is referred to the Committee on Highway Safety.

By Representative McAlister:

H. B. 674, A BILL TO BE ENTITLED AN ACT TO CONTROL THE EXPLORATION FOR URANIUM IN THE STATE OF NORTH CAROLINA, is referred to the Committee on Water and Air Resources.

By Representatives McAlister and Warren:

H. B. 675, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTH CAROLINA AGRICULTURAL RESEARCH SERVICE AT NORTH CAROLINA STATE UNIVERSITY TO CONTINUE RESEARCH ABOUT ANTHRACNOSE, RED STELE, AND GRAY MOLD AS THEY AFFECT STRAWBERRIES, is referred to the Committee on Appropriations.

By Representatives Lutz and Hauser:

H. B. 676, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF CATCHMENT AREA, is referred to the Committee on Mental Health.

By Representatives Beall and Enloe:

H. B. 677, A BILL TO BE ENTITLED AN ACT TO PROHIBIT SAFE DRIVER INSURANCE PLAN SURCHARGES FOR CONVICTIONS OR PRAYERS FOR JUDGMENT CONTINUED FOR CERTAIN MOVING TRAFFIC VIOLATIONS, is referred to the Committee on Insurance.

By Representatives Slaughter, Hudson, Quinn, and Thomas:

H. B. 678, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO RESTORE THE MARKS HOUSE IN STANLY COUNTY, is referred to the Committee on Cultural Resources.

By Representatives Slaughter, Husdon, Quinn, and Thomas:

H. B. 679, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AN AGRICULTURAL LEARNING CENTER IN STANLY COUNTY, is referred to the Committee on Appropriations.

By Representative Wright:

H. B. 680, A BILL TO BE ENTITLED AN ACT TO REQUIRE COUNTY DIRECTORS OF SOCIAL SERVICES TO RESPOND TO REQUESTS FOR CONSENT TO SEPARATE AN INFANT FROM ITS PARENT, is referred to the Committee on Judiciary No. 2.

By Representative Wright:

H. B. 681, A BILL TO BE ENTITLED AN ACT TO ALLOW THE PAROLE COMMISSION TO DENY REENTRY PAROLE TO CERTAIN OFFENDERS, is referred to the Committee on Corrections.

By Representative Wright:

H. B. 682, A BILL TO BE ENTITLED AN ACT TO ALLOW THE USE OF THE STATE COURIER SERVICE OR A COMMON OR CONTRACT CARRIER IN ADDI-

TION TO THE UNITED STATES MAIL FOR PURPOSES OF MAINTAINING A CHAIN OF CUSTODY, is referred to the Committee on Judiciary No. 2.

By Representative Lilley:

H. B. 683, A BILL TO BE ENTITLED AN ACT TO REWRITE G. S. 20-217 PERTAINING TO PASSING STOPPED SCHOOL BUSES AND RECEIVING OR DISCHARGING PASSENGERS FROM SCHOOL BUSES STOPPED ON DIVIDED ROADWAYS, is referred to the Committee on Highway Safety.

By Representatives Fulcher, Creecy, Hauser, and Tyson:

H. B. 684, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE CRIME OF INVOLUNTARY SERVITUDE, is referred to the Committee on Judiciary No. 1.

By Representatives Fulcher, Creecy, and Tyson:

H. B. 685, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA FARMWORKER COMMISSION, is referred to the Committee on State Government.

By Representatives Fulcher, Creecy, and Tyson:

H. B. 686, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR INSPECTION OF MIGRANT CAMPS, is referred to the Committee on Appropriations.

By Representative Bob Etheridge:

H. B. 687, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN MEMBERS OF THE UNIFORM JUDICIAL, UNIFORM SOLICITORIAL AND UNIFORM CLERKS OF SUPERIOR COURT RETIREMENT SYSTEMS TO RESTORE CREDITABLE SERVICE PREVIOUSLY WITHDRAWN FROM THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM TO THE END THAT SUCH SERVICE MAY MAKE THESE MEMBERS ELIGIBLE FOR RETIREMENT, is referred to the Committee on Pensions and Retirement.

By Representatives Thomas and Hauser:

H. B. 688, A BILL TO BE ENTITLED AN ACT TO AMEND THE LICENSING OF DOMICILIARY HOMES FOR THE AGED OR DISABLED AND THE DOMICILIARY BILL OF RIGHTS, is referred to the Committee on Aging.

By Representative Barker:

H. B. 689, A BILL TO BE ENTITLED AN ACT TO INSURE PRIVACY OF AREA MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE AUTHORITY EMPLOYEE PERSONNEL RECORDS, is referred to the Committee on State Personnel.

By Representatives Barker and Hauser:

H. B. 690, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE RETURN OF PATIENTS TO TREATMENT FACILITIES, is referred to the Committee on Mental Health.

By Representatives Wright and Economos:

H. B. 691, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PUNISHMENT FOR CHILD ABUSE SO IT MORE ACCURATELY REFLECTS THE

SERIOUSNESS OF THE CRIME AND TO MAKE ANY SERIOUS PHYSICAL INJURY INFLICTED ON THE CHILD SUFFICIENT FOR CONVICTION, is referred to the Committee on Judiciary No. 2.

By Representative Wright:

H. B. 692, A BILL TO BE ENTITLED AN ACT TO ALLOW VOLUNTARY STATEMENTS MADE BY A SUBJECT DURING NONTESTIMONIAL IDENTIFICATION PROCEDURES TO BE ADMISSIBLE IN A CRIMINAL PROCEEDING, is referred to the Committee on Judiciary No. 2.

By Representative Wright:

H. B. 693, A BILL TO BE ENTITLED AN ACT TO ALLOW FIREMEN AND OTHER INVESTIGATORS TO INSPECT FIRE-DAMAGED PROPERTY WITH AN INSPECTION WARRANT WHEN IT IS NECESSARY TO DO SO, is referred to the Committee on Judiciary No. 2.

By Representative Lancaster:

H. B. 694, A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENT OF A NEW REGISTRATION OF VOTERS UPON INCORPORATION OF A MUNICIPALITY AND SIMULTANEOUS DISSOLUTION OF A SANITARY DISTRICT, is referred to the Committee on Judiciary No. 3.

By Representatives Beard, Beall, Bowen, Childress, Church, Colton, N. J. Crawford, Evans, Kennedy, Ligon, and Womble:

H. B,. 695, A BILL TO BE ENTITLED AN ACT RAISING CERTAIN FEES COLLECTED BY THE SECRETARY OF STATE AND APPROPRIATING FUNDS TO THE SECRETARY OF STATE, is referred to the Committee on State Government.

By Representatives Easterling, Brennan, Economos, Foster, Helms, and Spoon:

H. B. 696, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEVY OF ADDITIONAL ONE PERCENT SALES AND USE TAXES IN MECKLENBURG COUNTY, is referred to the Committee on Finance.

By Representatives Evans, Chapin, Fulcher, Gillam, James, Lancaster, Mavretic, Payne, Rabon, Rhodes, and Wright:

H. J. R. 697, A JOINT RESOLUTION EXPRESSING THE CONCERN OF THE GENERAL ASSEMBLY OVER THE NAVY'S PROPOSAL TO DISPOSE OF DECOMMISSIONED NUCLEAR SUBMARINES OFF THE NORTH CAROLINA COAST, is referred to the Committee on Rules and Operation of the House.

By Representatives Locks, Adams, Ballance, Blue, Edwards, Gist, Grimsley, Hasty, Hauser, Jeralds, Kennedy, Lambeth, Payne, and Varner:

H. B. 698, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE PROHIBITION AGAINST DANGEROUS WEAPONS AT PARADES, is referred to the Committee on Law Enforcement.

By Representative Fletcher (by request):

H. B. 699, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF SALEM IN BURKE COUNTY, is referred to the Committee on Local Government No. 2.

By Representative Wright:

H. B. 700, A BILL TO BE ENTITLED AN ACT TO ALLOW THE STATE TO TAKE A VOLUNTARY DISMISSAL WITH LEAVE WHEN A DEFENDANT IS FOUND INCAPABLE OF PROCEEDING, is referred to the Committee on Judiciary No. 2.

By Representative Wright:

H. B. 701, A BILL TO BE ENTITLED AN ACT TO MAKE ADMISSIBLE DECLARATIONS MADE UNDER THE BELIEF OF IMPENDING DEATH EVEN THOUGH THE DECLARANT DOES NOT DIE BUT BECOMES PHYSICALLY OR MENTALLY UNAVAILABLE, is referred to the Committee on Judiciary No. 2.

By Representatives Kennedy, Gist, Hauser, and Tennille:

H. B. 702, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA GENERAL STATUTES CREATING THE NORTH CAROLINA HUMAN RELATIONS COUNCIL, is referred to the Committee on State Government.

By Representative Fulcher:

H. B. 703, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR FORT MACON STATE PARK, is referred to the Committee on Cultural Resources.

By Representatives Nesbitt, Colton, N. J. Crawford, and Greenwood:

H. B. 704, A BILL TO BE ENTITLED AN ACT TO ALLOW COUNTIES TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, is referred to the Committee on Finance.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H. B. 399, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE FEE FOR GUN PERMITS IN MECKLENBURG COUNTY SHALL BE GOVERNED BY GENERAL LAW, is returned for concurrence in Senate amendment and is placed on the Calendar for April 5, 1983.

S. B. 126, A BILL TO BE ENTITLED AN ACT TO AMEND THE PRESIDENTIAL PREFERENCE PRIMARY ACT TO ALLOW CHOOSING OF AN ALLOCATION FORMULA WHICH REFLECTS THE DIVISION OF VOTES BUT DOES NOT REQUIRE EXACT PROPORTIONAL REPRESENTATION, is read the first time and is referred to the Committee on Election Laws.

S. B. 151, A BILL TO BE ENTITLED AN ACT TO COMMEMORATE THE DATE OF THE ADOPTION OF THE HALIFAX RESOLVES ON THE GREAT SEAL OF NORTH CAROLINA, is read the first time and is referred to the Committee on Rules and Operation of the House.

S. B. 152, A BILL TO BE ENTITLED AN ACT TO PROHIBIT CITIES FROM LEVYING A PRIVILEGE LICENSE TAX ON PERSONS ENGAGED IN THE BUSINESS OF PEST CONTROL, is read the first time and is referred to the Committee on Finance.

S. B. 173, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT COUNTIES WHICH MAINTAIN VOTER RECORDS ON ELECTRONIC DATA PROCESSING EQUIPMENT PROVIDE DISCS OR TAPES TO STATE PARTIES ON THE SAME

SCHEDULE AS LISTS TO COUNTY PARTIES, is read the first time and is referred to the Committee on Election Laws.

S. B. 186, A BILL TO BE ENTITLED AN ACT TO AMEND THE FEES CHARGED BY THE NORTH CAROLINA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, is read the first time and is referred to the Committee on Finance.

S. J. R. 211, A JOINT RESOLUTION URGING THE UNITED STATES GOVERNMENT TO REFRAIN FROM OCEAN DISPOSAL OF DECOMMISSIONED NUCLEAR SUBMARINES OFF THE NORTH CAROLINA COAST, is read the first time and is referred to the Committee on Rules and Operation of the House.

S. J. R. 215, A JOINT RESOLUTION URGING CONGRESS TO OPPOSE THE SALE OF ANY NATIONAL FOREST SERVICE LAND IN NORTH CAROLINA, is read the first time and is referred to the Committee on Rules and Operation of the House.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. J. R. 646, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES AT 2:00 P.M., TUESDAY, APRIL 5, 1983, AND PROVIDING FOR CONSIDERATION AT THAT SESSION OF CONFIRMATION OF THE GOVERNOR'S APPOINTMENTS TO THE STATE BOARD OF EDUCATION.

H. B. 167, AN ACT TO AMEND CHAPTER 20 TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO RAISE AND LOWER THE STATUTORY SPEED LIMITS ON THE STATE HIGHWAY SYSTEM WITHIN MUNICIPALITIES HAVING A NONFUNCTIONING GOVERNMENT.

H. B. 200, AN ACT TO REDEFINE THE REQUIRED EXHAUST SYSTEMS ON MOTOR VEHICLES.

H. B. 407, AN ACT TO REQUIRE SENTENCE CREDIT WHEN JUVENILE CONDITIONALLY RELEASED.

H. B. 507, AN ACT TO ESTABLISH THE BUNCOMBE SCHOOL CAPITAL FUND COMMISSION.

S. B. 120, AN ACT AUTHORIZING THE COURT TO ORDER DIRECT PAYMENT FOR FEES FOR APPOINTED COUNSEL.

S. B. 131, AN ACT CONCERNING BOLL WEEVIL ERADICATION.

H. B. 68, AN ACT TO AUTHORIZE COUNTIES TO REQUEST AN EXTENSION OF THE HOURS DURING WHICH REGULATIONS OF THE WILDLIFE RESOURCES COMMISSION WOULD PROHIBIT THE INTENTIONAL SWEEPING OF AN AREA WITH LIGHTS OR THE INTENTIONAL SHINING OF LIGHTS ON DEER.

H. B. 288, AN ACT TO AUTHORIZE CITIES AND COUNTIES TO PROVIDE ALTERNATIVES FOR THE TRANSPORTATION OF INVOLUNTARILY COMMITTED RESPONDENTS.

CALENDAR.

Action is taken on the following:

H. B. 535, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT BUNCOMBE COUNTY SHALL BE GOVERNED BY A BOARD OF COMMISSIONERS ELECTED TOGETHER, AND SHALL BE UNDER THE COUNTY-MANAGER PLAN.

On motion of Representative N. J. Crawford, the bill is postponed indefinitely by electronic vote (88-3).

H. B. 375, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ALL VESSELS IN MECKLENBURG COUNTY CARRY A PERSONAL FLOTATION DEVICE.

On motion of Representative Easterling, Committee Amendment No. 1 is adopted. This amendment changes the title.

The bill, as amended, passes its second reading and remains on the Calendar.

H. B. 427, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONDITIONS OF AN ASSESSMENT ON YAM PRODUCERS WHICH MAY BE AUTHORIZED IN A PRODUCERS' REFERENDUM, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Allran, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Lacey, Lambeth, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Musselwhite, Nash, Nesbitt, Owens, Pool, Poovey, Pulley, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 103.

Voting in the negative: None.

Excused absences: Representatives Anderson, Helms, Kennedy, and Murphy — 4.

S. B. 202, A BILL TO BE ENTITLED AN ACT TO REVISE THE LICENSE FEES FOR HUNTING, TRAPPING, FISHING AND DEALING IN FURS, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Allran, Auman, Ballance, Barbee, Barker, Barnes, Beam, Beard, Berry, Black, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holmes, Holt, Hudson, C. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McDowell, Matthews, Mauney, Mavretic, Miller, Musselwhite, Nash, Nesbitt, Owens, Pool, Poovey, Pulley, Redding, Rhodes, Roberts, Robinson,

Seymour, Slaughter, Spaulding, Stamey, Tennille, Thomas, Tyndall, Varner, Warren, Wicker, Womble, and B. Woodard — 98.

Voting in the negative: Representatives Beall, Enloe, McAlister, Tyson, C. Woodard, and Wright — 6.

Excused absences: Representatives Anderson, Helms, Kennedy, and Murphy — 4.

H. B. 487, A BILL TO BE ENTITLED AN ACT PERTAINING TO NOTIFICATION OF CHANGE OF ADDRESS BY HOLDERS OF MOTOR VEHICLE LEARNERS' PERMITS AND SPECIAL IDENTIFICATION CARDS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Allran, Auman, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Clark, Coble, Cochrane, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, Jarrell, Jeralds, Jones, Jordan, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Musselwhite, Nash, Nesbitt, Owens, Pool, Poovey, Pulley, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, and C. Woodard — 103.

Voting in the negative: Representative Ballance.

Excused absences: Representatives Anderson, Helms, Kennedy, and Murphy — 4.

H. B. 201, A BILL TO BE ENTITLED AN ACT TO REQUIRE A MAJORITY OF LANDOWNERS FOR THE CREATION OF A RURAL FIRE PROTECTION DISTRICT.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Allran, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Bumgardner, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, Jarrell, Jeralds, Jones, Jordan, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Musselwhite, Nash, Nesbitt, Owens, Pool, Poovey, Pulley, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, B. Woodard, C. Woodard, and Wright — 104.

Voting in the negative: Representative Womble.

Excused absences: Representatives Anderson, Helms, Kennedy, and Murphy — 4.

S. B. 84, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT FUNDS FROM THE NORTH CAROLINA ELECTION CAMPAIGN FUND SHALL BE DISTRIBUTED TO POLITICAL PARTIES ON A PRO RATA BASIS ACCORDING TO

PARTY VOTER REGISTRATION, passes its third reading, by electronic vote (90-17), and is ordered enrolled.

H. B. 512, A BILL TO BE ENTITLED AN ACT RELATING TO USE OF LISTS OF LICENSED DRIVERS FOR JURY DUTY, AND THE NUMBER OF NAMES ON THE JURY LIST, passes its second reading by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 332, A BILL TO BE ENTITLED AN ACT TO REQUIRE REPORTING OF ALL CASES OF ABUSED JUVENILES TO THE DISTRICT ATTORNEY.

On motion of Representative Hackney, consideration of the bill is postponed until April 6, 1983.

S. B. 118, A BILL TO BE ENTITLED AN ACT TO ALLOW STATE AND LOCAL GOVERNMENTS AND PUBLIC AUTHORITIES TO DEPOSIT PUBLIC MONEYS AT INTEREST IN ANY SAVINGS AND LOAN ASSOCIATION IN THE STATE, AND TO DESIGNATE AS OFFICIAL DEPOSITORIES ONE OR MORE SAVINGS AND LOAN ASSOCIATIONS IN THIS STATE.

On motion of Representative Evans, consideration of the bill is postponed until April 5, 1983.

S. B. 119, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 54B OF THE GENERAL STATUTES OF NORTH CAROLINA RELATING TO SAVINGS AND LOAN ASSOCIATIONS.

On motion of Representative Evans, consideration of the bill is postponed until April 5, 1983.

On motion of Representative Hunt, seconded by Representative Beall, the House adjourns to reconvene April 5, 1983 at 1:30 p.m.

SIXTIETH DAY

HOUSE OF REPRESENTATIVES
Tuesday, April 5, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Locks.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of April 4 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Anderson, Bowen, and Murphy for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Church for the Committee on State Government:

H. B. 255, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 74C, THE PRIVATE PROTECTIVE SERVICES ACT, with an unfavorable report as to bill, favorable as to committee substitute bill, and recommendation that the substitute bill be re-referred to the Committee on Finance.

On motion of Representative Church, the committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H. B. 519, A BILL TO BE ENTITLED AN ACT TO REVISE THE QUALIFICATIONS FOR REAL ESTATE LICENSES, with a favorable report, as amended.

S. B. 55, A BILL TO BE ENTITLED AN ACT TO SET FEE LIMITS FOR THE BOARD OF NURSING HOME ADMINISTRATORS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

By Representative James for the Committee on Agriculture:

S. B. 153, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA FERTILIZER LAW, with a favorable report.

H. B. 555, A BILL TO BE ENTITLED AN ACT TO MAKE VOCATIONAL AGRICULTURE 12-MONTH PROGRAMS AND TO PROVIDE RESOURCES FOR VOCATIONAL AGRICULTURE/FFA AT NO LESS THAN PRESENT LEVELS, with a favorable report.

On motion of Representative James, the bill is re-referred to the Committee on Appropriations.

By Representative Pulley for the Committee on Judiciary No. 4:

H. B. 510, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE JUVENILE CODE AS RECOMMENDED BY THE JUVENILE LAW STUDY COMMISSION, with a favorable report, as amended.

H. B. 528, A BILL TO BE ENTITLED AN ACT TO AMEND THE ESCHEAT LAWS OF NORTH CAROLINA, with a favorable report, as amended.

By Representative Wright for the Committee on Judiciary No. 2:

H. B. 434, A BILL TO BE ENTITLED AN ACT TO PROVIDE A STATUTORY SHORT FORM POWER OF ATTORNEY AND A DURABLE POWER OF ATTORNEY STATUTE AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report, as amended.

H. B. 545, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 25A OF THE GENERAL STATUTES TO CLARIFY THE DEFINITION OF "SALE" IN THE RETAIL INSTALLMENT SALES ACT, with a favorable report.

H. B. 561, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN ACTS OF NOTARIES, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Miller and Redding:

H. B. 705, A BILL TO BE ENTITLED AN ACT TO INCREASE JUDICIAL DISCRETION IN DECISIONS AFFECTING PRETRIAL RELEASE, is referred to the Committee on Courts and Administration of Justice.

By Representatives Barbee, Matthews, and Mavretic:

H. B. 706, A BILL TO BE ENTITLED AN ACT OT APPROPRIATE MATCHING FUNDS TO ASSIST IN THE RESTORATION OF STONEWALL IN NASH COUNTY, is referred to the Committee on Cultural Resources.

By Representatives Gillam and Creecy:

H. B. 707, A BILL TO BE ENTITLED AN ACT TO ALLOW HERTFORD COUNTY TO SELL CERTAIN INDUSTRIAL PROPERTY AT PRIVATE SALE, is referred to the Committee on Local Government No. 1.

By Representatives Clark, Beard, Edwards, Jeralds, and Tyson:

H. B. 708, A BILL TO BE ENTITLED AN ACT TO ALLOW CUMBERLAND COUNTY TO LEVY AN ADDITIONAL ONE PERCENT SALES AND USE TAX, is referred to the Committee on Finance.

By Representatives Church and Lilley:

H. B. 709, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE ALARM SYSTEMS LICENSING ACT, is referred to the Committee on State Government.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for S. B. 181, A BILL TO BE ENTITLED AN ACT TO MAKE JUDGES AND JUSTICES OF THE GENERAL COURT OF JUSTICE INACTIVE MEMBERS OF THE STATE BAR, is read the first time and is referred to the Committee on Courts and Administration of Justice.

CALENDAR

Action is taken on the following:

H. B. 399, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE FEE FOR GUN PERMITS IN MECKLENBURG COUNTY SHALL BE GOVERNED BY GENERAL LAW.

On motion of Representative Easterling, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 375, A BILL TO BE ENTITLED AN ACT OT REQUIRE THAT ALL VESSELS IN CERTAIN COUNTIES CARRY A PERSONAL FLOTATION DEVICE.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Committee Substitute for H. B. 295, A BILL TO BE ENTITLED AN ACT TO PERMIT A REGISTERED VOTER WHO HAS MOVED FROM ONE PRECINCT TO ANOTHER WITHIN THE SAME COUNTY MORE THAN THIRTY DAYS BEFORE AN ELECTION TO RECORD A CHANGE OF ADDRESS ON ELECTION DAY AND VOTE IN THE OFFICE OF THE COUNTY BOARD OF ELECTIONS OR AT ANOTHER LOCATION DESIGNATED BY THE BOARD.

Representative Poovey offers Amendment No. 1.

On motion of Representative Watkins, seconded by Representative Hackney, Amendment No. 1 is tabled by electronic vote (81-28).

The bill passes its second reading by electronic vote (100-13).

Representative Barker objects to the third reading. The bill remains on the Calendar.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
April 5, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body that pursuant to H. J. R. 646, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES AT 2:00 P.M., TUESDAY, APRIL 5, 1983, AND PROVIDING FOR CONSIDERATION AT THAT SESSION OF CONFIRMATION OF THE GOVERNOR'S APPOINTMENTS TO THE STATE BOARD OF EDUCATION, the Senate stands ready to repair to the Hall of the House, there to sit in Joint Session with your Honorable Body.

Respectfully,
S/ SYLVIA M. FINK
Principal Clerk

The Speaker orders a message sent to the Senate informing that Honorable Body that the House of Representatives stands ready to receive them in Joint Session at the hour appointed.

JOINT SESSION

Pursuant to resolution heretofore adopted, and exchange of messages, the Sergeant-at-Arms of the House of Representatives announces the arrival of the Senate at the door of the House. The Speaker directs the admittance and seating of that Honorable Body. The President of the Senate, the Honorable James C. Green, is seated to the right of the Speaker and is presented the gavel.

The Joint Session is called to order by the President.

The President calls for a quorum call of the House and Senate prior to confirmation of the State Board of Education nominees.

The President instructs the Reading Clerk of the Senate to call the roll and the following Senators answer present: Senators Alford, Allred, Allsbrook, Ballenger, Barnes of Wayne, Barnes of Forsyth, Childers, Daniels, Davis, Duncan, Edwards of Guilford, Edwards of Caldwell, Gray, Guy, Hancock, Hardison, Harrington, Harris of Mecklenburg, Harris of Cleveland, Hipps, Hunt, Jenkins, Johnson, Jordan, Kincaid, Lawing, Martin, Marvin, Parnell, Plyler, Rand, Rauch, Redman, Royall, Soles, Speed, Swain, Tally, Thomas of Craven, Thomas of Henderson, Tison, Walker, Ward, Warren, White, Winner, Woodard, and Wright — 48.

The President calls for a quorum of the House of Representatives to be taken electronically and the following Representatives are recorded as present: Speaker Ramsey, Representatives Adams, Allran, Auman, Ballance, Barbee, Barker, Barnes, Beall,

Beam, Beard, Berry, Black, Blue, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 112.

Excused absences: Representatives Anderson, Bowen, Miller, and Murphy — 4.

The following letter from his Excellency, the Governor of North Carolina, is read by the Senate Reading Clerk:

March 7, 1983

The Honorable James C. Green
President of the Senate

The Honorable Liston B. Ramsey
Speaker of the House of Representatives
Legislative Building
Raleigh, North Carolina

Re: State Board of Education

Dear Sirs:

Pursuant to the provisions of North Carolina General Statute Section 115-2, I submit herewith to the General Assembly the persons listed below whom I have recommended as members of the State Board of Education:

1. Norma Turnage, representing Education District 3, to be reappointed to a term expiring April 1, 1991.

2. C. D. Spangler, Jr., representing Education District 6, to be reappointed to a term expiring April 1, 1991.

3. Mebane Pritchett to be appointed to an at large position to a term expiring April 1, 1985.

Sincerely,

S/ James B. Hunt, Jr.

Senator James D. Speed, Chairman of the Senate Committee on Education, and Representative Jo Graham Foster, Chairman of the House Committee on Education send forth the following report:

April 5, 1983

The Honorable James C. Green
Lieutenant Governor of North Carolina
State Legislative Building
Raleigh, North Carolina

The Honorable Liston B. Ramsey
Speaker of the House of Representatives
Raleigh, North Carolina 27611

Dear Sirs:

In compliance with the provisions of North Carolina General Statute 115C-10 that nominees to fill positions on the State Board of Education shall be subject to confirmation by the General Assembly in Joint Session, Governor Hunt has submitted for confirmation by the General Assembly the following names:

1. Norma Turnage, representing Education District 3, to be reappointed to a term expiring April 1, 1991.

2. C. D. Spangler, Jr., representing Education District 6, to be reappointed to a term expiring April 1, 1991.

3. Mebane Pritchett to be appointed to an at large position to a term expiring April 1, 1985.

Pursuant to H. J. R. 646, The House and Senate Committees on Education have considered the nominees and make the following recommendation to this Joint Session:

That the nominations of Norma Turnage, C. D. Spangler, Jr., Mebane Pritchett be confirmed.

Respectfully submitted.

S/ JAMES D. SPEED,
Chairman, Senate Committee
on Education

S/ JO GRAHAM FOSTER,
Chairman, House Committee
on Education

Senator James D. Speed moves that the nomination of Norma Turnage be confirmed by the Senate.

The nomination of Norma Turnage is confirmed by the Senate by the following vote: Senators Alford, Allred, Allsbrook, Ballenger, Barnes of Wayne, Barnes of Forsyth, Childers, Daniels, Davis, Duncan, Edwards of Guilford, Edwards of Caldwell, Gray, Guy, Hancock, Hardison, Harrington, Harris of Mecklenburg, Harris of Cleveland, Hipps, Hunt, Jenkins, Johnson, Jordan, Kincaid, Lawing, Martin, Marvin, Parnell, Plyler, Rand, Rauch, Redman, Royall, Soles, Speed, Swain, Tally, Thomas of Craven, Thomas of Henderson, Tison, Walker, Ward, Warren, White, Winner, Woodard, and Wright — 48.

Representative Jo Graham Foster moves that the nomination of Norma Turnage be confirmed by the House of Representatives.

The nomination of Norma Turnage is confirmed by the House of Representatives by the following vote:

Those voting in the affirmative are: Speaker Ramsey, Representatives Adams, Allran, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist,

Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 114.

Voting in the negative: None.

Excused absences: Representatives Anderson, Bowen, Miller, and Murphy — 4.

Senator James D. Speed moves that the nomination of C. D. Spangler, Jr. be confirmed by the Senate.

The nomination of C. D. Spangler, Jr. is confirmed by the Senate by the following vote: Senators Alford, Allred, Allsbrook, Ballenger, Barnes of Wayne, Barnes of Forsyth, Childers, Daniels, Davis, Duncan, Edwards of Guilford, Edwards of Caldwell, Gray, Guy, Hancock, Hardison, Harrington, Harris of Cleveland, Hipps, Hunt, Jenkins, Johnson, Jordan, Kincaid, Lawing, Martin, Marvin, Parnell, Plyler, Rand, Rauch, Redman, Royall, Soles, Speed, Staton, Swain, Tally, Thomas of Craven, Thomas of Henderson, Tison, Walker, Ward, Warren, White, Winner, Woodard, and Wright — 48.

Representative Jo Graham Foster moves that the nomination of C. D. Spangler, Jr. be confirmed by the House of Representatives.

The nomination of C. D. Spangler, Jr. is confirmed by the House of Representatives by the following vote:

Those voting in the affirmative are: Speaker Ramsey, Representatives Adams, Allran, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 115.

Voting in the negative: None.

Excused absences: Representatives Anderson, Bowen, Miller, and Murphy — 4.

Senator James D. Speed moves that the nomination of Mebane Pritchett be confirmed by the Senate.

The nomination of Mebane Pritchett is confirmed by the Senate by the following vote: Senators Alford, Allred, Allsbrook, Ballenger, Barnes of Wayne, Childers, Daniels, Davis, Duncan, Edwards of Guilford, Edwards of Caldwell, Gray, Guy, Hancock, Hardison, Harrington, Harris of Mecklenburg, Harris of Cleveland, Hipps, Hunt, Jenkins,

Johnson, Jordan, Kincaid, Lawing, Martin, Marvin, Parnell, Plyler, Rand, Rauch, Redman, Royall, Soles, Speed, Staton, Swain, Tally, Thomas of Craven, Thomas of Henderson, Tison, Walker, Ward, Warren, White, Winner, Woodard, and Wright — 48.

Representative Jo Graham Foster moves that the nomination of Mebane Pritchett be confirmed by the House of Representatives.

The nomination of Mebane Pritchett is confirmed by the House of Representatives by the following vote:

Those voting in the affirmative are: Speaker Ramsey, Representatives Adams, Allran, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 115.

Voting in the negative: None.

Excused absences: Representatives Anderson, Bowen, Miller, and Murphy — 4.

The President declares that the General Assembly has confirmed the nomination of Norma Turnage, C. D. Spangler, Jr., and Mebane Pritchett to the State Board of Education and directs that notification be sent to the Governor of this action.

On motion of Senator W. Craig Lawing, the Joint Session is dissolved and the Senate returns to the Senate Chamber.

The House resumes its business.

CALENDAR (continued)

Committee Substitute for H. B. 40, A BILL TO BE ENTITLED AN ACT TO SUBJECT NURSING HOME BEDS IN HOSPITALS TO THE NURSING HOME PATIENTS BILL OF RIGHTS.

On motion of Representative Economos, the bill is temporarily displaced in order that Committee Substitute for S. B. 13 may be considered at this time.

Committee Substitute for S. B. 13, A BILL TO BE ENTITLED AN ACT TO SUBJECT NURSING HOME BEDS IN HOSPITALS TO THE NURSING HOME PATIENTS BILL OF RIGHTS, passes its second reading, by electronic vote (96-6), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

On motion of Representative Economos, Committee Substitute for H. B. 40 is postponed until April 7, 1983.

H. B. 413, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE EQUITABLE DISTRIBUTION ACT.

Representative Hackney offers Committee Amendment No. 1.

On motion of Representative Wright, seconded by Representative Hackney, Amendment No. 1 is tabled by electronic vote (105-2).

Representative Hackney offers an amendment.

On motion of Representative Hunt, consideration of the bill and pending amendment is postponed until April 6, 1983.

On motion of Representative Hunt, the bill is withdrawn from the Calendar of April 6 and placed on the Calendar for immediate consideration.

Representative Hackney withdraws his amendment.

Representative Slaughter offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second reading by electronic vote (99-1).

Representative Pulley objects to the third reading. The bill remains on the Calendar.

H. B. 414, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COURT TO ENJOIN THE DISPOSAL OF MARITAL PROPERTY PENDING INSTITUTION OF AN EQUITABLE DISTRIBUTION ACTION.

Representative Slaughter offers Amendment No. 1 which fails of adoption by electronic vote (17-88).

The bill passes its second reading by electronic vote (104-1).

Representative Hackney objects to the third reading. The bill remains on the Calendar.

S. B. 118, A BILL TO BE ENTITLED AN ACT TO ALLOW STATE AND LOCAL GOVERNMENTS AND PUBLIC AUTHORITIES TO DEPOSIT PUBLIC MONEYS AT INTEREST IN ANY SAVINGS AND LOAN ASSOCIATION IN THE STATE, AND TO DESIGNATE AS OFFICIAL DEPOSITORIES ONE OR MORE SAVINGS AND LOAN ASSOCIATIONS IN THIS STATE.

On motion of Representative Evans, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

S. B. 119, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 54B OF THE GENERAL STATUTES OF NORTH CAROLINA RELATING TO SAVINGS AND LOAN ASSOCIATIONS, passes its second reading, by electronic vote (97-7), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. B. 84, AN ACT TO PROVIDE THAT FUNDS FORM THE NORTH CAROLINA ELECTION CAMPAIGN FUND SHALL BE DISTRIBUTED TO POLITICAL PARTIES ON A PRO RATA BASIS ACCORDING TO PARTY VOTER REGISTRATION.

S. B. 202, AN ACT TO REVISE THE LICENSE FEES FOR HUNTING, TRAPPING, FISHING AND DEALING IN FURS.

The Speaker announces the appointment of the following conferees on House Committee Substitute for Senate Committee Substitute No. 2 for S. B. 1: Representative Lancaster, Chairman; Representative Adams, Vice Chairman; Representatives Quinn, Watkins, Miller, Evans, and Hunter and the Senate is so notified by Special Message.

On motion of Representative Hunt, seconded by Representative Fussell, the House adjourns in honor of the North Carolina State University Basketball Team, winner of the Atlantic Coast Conference Tournament and the winner of the National Collegiate Athletic Association Tournament for the year 1983, to reconvene April 6, 1983 at 1:30 p.m.

SIXTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Wednesday, April 6, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Lambeth.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of April 5 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Miller for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Lilley for the Committee on Local Government No. 1:

H. B. 505, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF MORGANTON FOR THE PURPOSE OF PERMITTING THE MAYOR TO VOTE ON ALL ISSUES, with a favorable report.

H. B. 514, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DAVIE COUNTY BOARD OF COMMISSIONERS TO CONVEY CERTAIN REAL PROPERTY, with a favorable report.

H. B. 518, A BILL TO BE ENTITLED AN ACT TO AMEND THE AVERAGE COST BASIS FORMULA THE CITY OF RALEIGH MAY USE TO ASSESS THE COST OF EXTENDING WATER AND SEWER LINES, with a favorable report.

H. B. 531, A BILL TO BE ENTITLED AN ACT TO REPEAL THE AUTHORIZATION FOR A GREENVILLE CEMETERY PURCHASE FUND, AND TO AUTHORIZE TRANSFER OF MONIES FROM THAT FUND, with a favorable report.

H. B. 560, A BILL TO BE ENTITLED AN ACT TO EMPOWER CHOWAN HOSPITAL TO USE ATTACHMENT AND GARNISHMENT PROCEDURES FOR COLLECTING UNPAID BILLS, with a favorable report.

H. B. 562, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR FILING AND NOTICE OF ELECTION TO THE COLUMBUS COUNTY BOARD OF EDUCATION AND THE WHITEVILLE CITY BOARD OF EDUCATION, with a favorable report.

H. B. 573, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DARE COUNTY BOARD OF COMMISSIONERS TO ABOLISH OR REDUCE THE SIZE OF THE KITTY HAWK FIRE PROTECTION DISTRICT, AND TO CHANGE THE NAME OF THE DISTRICT, with a favorable report, as amended.

H. B. 597, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF WEDDINGTON IN UNION COUNTY, with a favorable report.

H. B. 599, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LENOIR COUNTY TO PERMIT DISPOSITION OF LAND FOR A SPECIAL PURPOSE AT FAIR MARKET VALUE WITHOUT COMPETITIVE BIDDING: TO PERMIT DISPOSITION OF LAND ON THE BASIS OTHER THAN THE HIGHEST MONETARY BID, WHERE SUCH DISPOSITION IS FOUND TO SERVE THE BEST INTEREST OF THE MUNICIPALITY, AND TO DISPOSE OF PROPERTY AT PRIVATE SALE, with a favorable report, as amended.

H. B. 613, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TYRRELL COUNTY BOARD OF COMMISSIONERS TO ENTER INTO CERTAIN CONTRACTS WITHOUT COMPLYING WITH THE PROVISIONS OF CHAPTER 133 AND OF ARTICLE 8 OF CHAPTER 143 OF THE GENERAL STATUTES, with a favorable report.

H. B. 627, A BILL TO BE ENTITLED AN ACT TO AMEND THE SCHOOL BUDGET AND FISCAL CONTROL ACT AS IT APPLIES TO SAMPSON COUNTY CONCERNING APPROVAL OF EXPENDITURES SOME OR ALL OF WHICH ARE TO BE PAID IN ENSUING FISCAL YEARS, with a favorable report.

H. B. 629, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE CITY OF KANNAPOLIS SUBJECT TO A VOTE OF THE PEOPLE AND TO CREATE A COMMISSION TO DEVELOP ITS CHARTER, with a favorable report.

H. B. 630, A BILL TO BE ENTITLED AN ACT RESTRICTING THE USE OF LOCAL SALES AND USE TAX REVENUE IN BURKE COUNTY, with a favorable report.

S. B. 170, A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET PROVISION ON AN ACT TO AUTHORIZE THE CITY OF RALEIGH TO EXERCISE CERTAIN LAND ACQUISITION AND DISPOSAL PROCEDURES, with a favorable report.

S. B. 172, A BILL TO BE ENTITLED AN ACT RELATING TO THE PRIMA FACIE RULE OF EVIDENCE FOR ENFORCEMENT OF PARKING REGULATIONS IN THE CITY OF WINSTON-SALEM, with a favorable report.

S. B. 204, A BILL TO BE ENTITLED AN ACT TO PERMIT PERSONS TO ENGAGE IN BUSINESS AS A PAWNBROKER IN UNINCORPORATED AREAS OF JACKSON COUNTY, with a favorable report, as amended.

By Representative Fussell for the Committee on Highway Safety:

H. B. 282, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR INCREASED PENALTIES FOR THE DRIVER OF ANY MOTOR VEHICLE FAILING TO YIELD TO A PEDESTRIAN IN A SCHOOL CROSSWALK, with a favorable report, as amended.

By Representative Lutz for the Committee on Local Government No. 2:

H. B. 466, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF STATESVILLE, with a favorable report.

H. B. 525, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A CHANGE IN THE MANNER OF SELECTION OF THE WASHINGTON CITY BOARD OF EDUCATION, SUBJECT TO A REFERENDUM, with a favorable report.

H. B. 540, A BILL TO BE ENTITLED AN ACT TO INCLUDE THREE SATELLITE AREAS WITHIN THE CORPORATE LIMITS OF THE CITY OF LENOIR, with a favorable report.

S. B. 192, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF HENDERSONVILLE TO AUTHORIZE ITS ZONING BOARD OF ADJUSTMENT TO MAKE DECISIONS PURSUANT TO A SEVEN MEMBER MAJORITY VOTE, with a favorable report.

By Representative Auman for the Committee on the University Board of Governors Nominating Committee:

H. B. 408, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE PROCEDURE FOR ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, with a favorable report, as amended.

By Representative Helms for the Committee on Courts and Administration of Justice:

H. B. 475, A BILL TO BE ENTITLED AN ACT TO HAVE DISCOVERY PAPERS FILED WITH CLERK ONLY WHEN USED IN PROCEEDING, with a favorable report.

S. B. 94, A BILL TO BE ENTITLED AN ACT TO PLACE THE PRESIDENT OF THE MAGISTRATE'S ASSOCIATION ON THE COURTS COMMISSION, with a favorable report, as amended.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives J. Hughes, Lacey, and Robinson:

H. B. 710, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REFERENDA ON THE QUESTIONS OF ABOLISHING THE OFFICE OF MITCHELL COUNTY ACCOUNTANT, MAKING THE MITCHELL COUNTY TAX COLLECTOR APPOINTIVE, AND CHANGING ELECTIONS FOR THE MITCHELL COUNTY BOARD OF COMMISSIONERS TO AT-LARGE, is referred to the Committee on Local Government No. 2.

By Representative Rabon:

H. B. 711, A BILL TO BE ENTITLED AN ACT TO SPECIFICALLY INCLUDE MONEY USED IN DRUG DEALING AS PROPERTY SUBJECT TO FORFEITURE UNDER THE CONTROLLED SUBSTANCES ACT, is referred to the Committee on Judiciary No. 4.

By Representative Rabon:

H. B. 712, A BILL TO BE ENTITLED AN ACT TO PROMOTE FAIR AND EXPEDITIOUS SELECTION OF JURORS BY PLACING A MAXIMUM CEILING ON THE NUMBER OF PEREMPTORY CHALLENGES WHEN MORE THAN TWO DEFENDANTS ARE BEING TRIED TOGETHER, is referred to the Committee on Courts and Administration of Justice.

By Representative Rabon:

H. B. 713, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO VARIOUS STATUTES AFFECTING CRIMINAL LAW, is referred to the Committee on Judiciary No. 4.

By Representative Rabon:

H. B. 714, A BILL TO BE ENTITLED AN ACT TO PROVIDE A WITNESS ASSISTANCE PROGRAM IN ALL DISTRICTS OF THE STATE TO INCREASE THE CONVENIENCE OF COURT APPEARANCE BY CRIME VICTIMS AND OTHER WITNESSES, is referred to the Committee on Courts and Administration of Justice.

By Representative Allran:

H. B. 715, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE INSTALLATION OF A CLIMATE CONTROL SYSTEM AND SECURITY SYSTEM IN THE CATAWBA COUNTY HISTORICAL MUSEUM, IN NEWTON, is referred to the Committee on Cultural Resources.

By Representative Enloe:

H. B. 716, A BILL TO BE ENTITLED AN ACT TO ASSURE UNEMPLOYMENT INSURANCE TRUST FUND SOLVENCY AND COMPLIANCE WITH FEDERAL LAW, is referred to the Committee on Employment Security.

By Representative Hackney:

H. B. 717, A BILL TO BE ENTITLED AN ACT TO RAISE THE PENALTIES FOR TAX EVASION AND EMBEZZLEMENT, is referred to the Committee on Judiciary No. 1.

By Representative Hackney:

H. B. 718, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS TO ENFORCE TAX EVASION AND EMBEZZLEMENT STATUTES, is referred to the Committee on Judiciary No. 1.

By Representative McDowell:

H. B. 719, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEPARTMENT OF CORRECTION'S AUTHORITY TO PROVIDE TREATMENT AND TRAINING PROGRAMS FOR MENTALLY RETARDED PRISONERS, is referred to the Committee on Corrections.

By Representatives Roberts, Allran, Ballance, Beam, Bumgardner, Clark, Helms, McDowell, Mauney, Watkins, Wicker, and Wright:

H. B. 720, A BILL TO BE ENTITLED AN ACT TO AMEND THE NOTICE REQUIREMENTS OF G. S. 105-375, is referred to the Committee on Judiciary No. 2.

By Representatives Roberts and Hackney:

H. B. 721, A BILL TO BE ENTITLED AN ACT TO EXTEND THE FILING PERIOD FOR WORKERS' COMPENSATION CLAIMS WHEN ACCIDENTAL INJURIES ARE NOT DISCOVERED WITHIN TWO YEARS OF THE ACCIDENT, is referred to the Committee on Manufacturers and Labor.

By Representatives Roberts and Hackney:

H. B. 722, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE INDEPENDENCE OF THE INDUSTRIAL COMMISSION FROM THE SECRETARY OF COMMERCE IN THE APPOINTMENT OF DEPUTY COMMISSIONERS AND IN THE EXERCISE OF ITS QUASIJUDICIAL FUNCTIONS, is referred to the Committee on State Government.

By Representatives Tennille, Childress, DeVane, Hauser, C. Hughes, Hunter, and Womble:

H. B. 723, A BILL TO BE ENTITLED AN ACT TO SPECIFY WHEN A PROCESSING FEE MAY BE CHARGED FOR CHECKS SENT BY MAIL AND WHEN A COLLECTION AGENCY MAY COLLECT A PROCESSING FEE FOR RETURNED CHECKS, is referred to the Committee on Judiciary No. 4.

By Representatives Black and Economos:

H. B. 724, A BILL TO BE ENTITLED AN ACT TO LIMIT MOTORBOAT NOISE ON VARIOUS LAKES, is referred to the Committee on Wildlife Resources.

By Representatives Bob Etheridge and Lilley:

H. B. 725, A BILL TO BE ENTITLED AN ACT TO PROVIDE OVERTIME COMPENSATION FOR STATE FORESTRY EMPLOYEES INVOLVED I N FIGHTING FOREST FIRES, is referred to the Committee on Appropriations.

By Representative Bob Etheridge:

H. B. 726, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DISPOSITION OF REVENUE GENERATED BY THE SALE OF PERSONALIZED REGISTRATION PLATES, is referred to the Committee on Appropriations.

By Representatives James, Brown, Brubaker, Creecy, Enloe, Gentry, Gillam, Greenwood, C. Hughes, Jordan, Lacey, Lambeth, Lilley, Locks, Lutz, McAlister, Mavretic, Nash, Slaughter, Tyson, and B. Woodard:

H. B. 727, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR RESEARCH IN APPLES, is referred to the Committee on Appropriations.

By Representatives Warren and Jones:

H. B. 728, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE TOWN OF GRIFTON TO DISPLAY PAINTINGS OF HISTORICAL INTEREST, is referred to the Committee on Cultural Resources.

By Representative Brennan:

H. B. 729, A BILL TO BE ENTITLED AN ACT TO TAX-SHELTER CONTRIBUTIONS TO THE CHARLOTTE FIREMEN'S RETIREMENT SYSTEM PURSUANT TO SECTION 414(h) (2) OF THE INTERNAL REVENUE CODE AND THEREBY INCREASE THE TAKE-HOME PAY OF EMPLOYEES OF THE FIRE DEPARTMENT OF THE CITY OF CHARLOTTE, is referred to the Committee on Pensions and Retirement.

By Representative Slaughter (by request):

H. B. 730, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STANLY COUNTY TO LEVY ADDITIONAL ONE PERCENT SALES AND USE TAXES, is referred to the Committee on Finance.

By Representatives Evans and James:

H. B. 731, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TYRRELL COUNTY BOARD OF EDUCATION TO ENTER INTO CERTAIN CONTRACTS WITHOUT COMPLYING WITH THE PROVISIONS OF CHAPTER 133 AND OF ARTICLE 8 OF CHAPTER 143 OF THE GENERAL STATUTES, is referred to the Committee on Local Government No. 2.

On motion of Representative Barker, the rules are suspended and the following is introduced and read the first time.

By Representatives Barker, Anderson, and Lilley:

H. B. 734, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MANNER OF ELECTION OF THE NEW BERN BOARD OF ALDERMEN AND MAYOR, is referred to the Committee on Local Government No. 1.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. J. R. 279, A JOINT RESOLUTION MEMORIALIZING CONGRESS IN OPPOSITION TO FEDERAL TERMINATION OF LOW-INCOME HOUSING PROGRAMS.

H. J. R. 280, A JOINT RESOLUTION MEMORIALIZING CONGRESS TO PASS LEGISLATION AUTHORIZING TAX DEDUCTIONS FOR MONEY SAVED FOR PURCHASE OF A HOME.

H. B. 57, AN ACT TO AMEND THE LAW CONCERNING REPORTING OF PRODUCT LIABILITY INSURANCE UNDERWRITING EXPERIENCE.

H. B. 59, AN ACT TO CLARIFY THE APPLICABILITY OF THE GROUP HEALTH INSURANCE CONTINUATION AND CONVERSION LAW AND TO CLARIFY PROVISIONS REGARDING ISSUANCE OF CONVERSION POLICIES.

S. B. 13, AN ACT TO SUBJECT NURSING HOME BEDS IN HOSPITALS TO THE NURSING HOME PATIENTS BILL OF RIGHTS.

S. B. 119, AN ACT TO AMEND CHAPTER 54B OF THE GENERAL STATUTES OF NORTH CAROLINA RELATING TO SAVINGS AND LOAN ASSOCIATIONS.

H. B. 399, AN ACT TO PROVIDE THAT THE FEE FOR GUN PERMITS IN MECKLENBURG COUNTY SHALL BE GOVERNED BY GENERAL LAW.

CALENDAR

Action is taken on the following:

Committee Substitute for H. B. 295, A BILL TO BE ENTITLED AN ACT TO PERMIT A REGISTERED VOTER WHO HAS MOVED FROM ONE PRECINCT TO ANOTHER WITHIN THE SAME COUNTY MORE THAN THIRTY DAYS BEFORE AN ELECTION TO RECORD A CHANGE OF ADDRESS ON ELECTION DAY AND VOTE IN THE OFFICE OF THE COUNTY BOARD OF ELECTIONS OR AT ANOTHER LOCATION DESIGNATED BY THE BOARD, passes its third reading, by electronic vote (108-6), and is ordered sent to the Senate.

H. B. 413, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE EQUITABLE DISTRIBUTION ACT.

The bill, as amended, passes its third reading, by electronic vote (110-0), and is ordered engrossed and sent to the Senate.

H. B. 414, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COURT TO ENJOIN THE DISPOSAL OF MARITAL PROPERTY PENDING INSTITUTION OF AN EQUITABLE DISTRIBUTION ACTION, passes its third reading, by electronic vote (112-2), and is ordered sent to the Senate.

Committee Substitute for H. B. 38, A BILL TO BE ENTITLED AN ACT TO REWRITE THE CRIMINAL STATUTE REGARDING CONTRACTS BETWEEN LANDLORDS AND TENANTS.

On motion of Representative Hackney, consideration of the bill is postponed until April 7, 1983.

Committee Substitute for H. B. 332, A BILL TO BE ENTITLED AN ACT TO REQUIRE REPORTING OF ALL CASES OF ABUSED JUVENILES TO THE DISTRICT ATTORNEY, passes its second reading, by electronic vote (111-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 519, A BILL TO BE ENTITLED AN ACT TO REVISE THE QUALIFICATIONS FOR REAL ESTATE LICENSES.

On motion of Representative Musselwhite, Committee Amendment No. 1 is adopted.

On motion of Representative Musselwhite, consideration of the bill is postponed until April 12, 1983 by electronic vote (72-40).

S. B. 153, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA FERTILIZER LAW, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

H. B. 510, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE JUVENILE CODE AS RECOMMENDED BY THE JUVENILE LAW STUDY COMMISSION.

On motion of Representative Barnes, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 528, A BILL TO BE ENTITLED AN ACT TO AMEND THE ESCHEAT LAWS OF NORTH CAROLINA.

On motion of Representative Lee, Committee Amendment No. 1 is adopted. This amendment changes the title.

The bill, as amended, passes its second reading, by electronic vote (97-0), and remains on the Calendar.

H. B. 434, A BILL TO BE ENTITLED AN ACT TO PROVIDE A STATUTORY SHORT FORM POWER OF ATTORNEY AND A DURABLE POWER OF ATTORNEY STATUTE AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

On motion of Representative Clark, Committee Amendment No. 1 is adopted.

On motion of Representative Clark, the bill is ordered engrossed and re-referred to the Committee on Judiciary No. 2.

H. B. 545, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 25A OF THE GENERAL STATUTES TO CLARIFY THE DEFINITION OF "SALE" IN THE RETAIL INSTALLMENT SALES ACT, passes its second reading, by electronic vote (110-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 561, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN ACTS OF NOTARIES, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

On motion of Representative Hunt, seconded by Representative Matthews, the House adjourns to reconvene April 7, 1983 at 1:30 p.m.

SIXTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Thursday, April 7, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Fussell.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of April 6 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Hasty, Holt, and Rhodes for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Economos for the Committee on Aging:

S. J. R. 15, A JOINT RESOLUTION REQUESTING THAT THE GOVERNOR OF NORTH CAROLINA CONSIDER THE APPOINTMENT OF MORE ELDERLY CITIZENS TO STATE BOARDS AND COMMISSIONS, with a favorable report.

On motion of Representative Economos, the resolution is placed on the Calendar for April 12, 1983.

By Representative Quinn for the Committee on Finance:

Committee Substitute for S. B. 182, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA PARKING FACILITIES REVENUE BOND ACT, with a favorable report.

By Representative Thomas for the Committee on Higher Education:

S. B. 121, A BILL TO BE ENTITLED AN ACT REGARDING REQUESTS FOR STATE ASSISTANCE BY PRIVATE COLLEGES AND UNIVERSITIES, with a favorable report.

By Representative Varner for the Committee on Military and Veterans' Affairs:

H. B. 527, A BILL TO BE ENTITLED AN ACT MAKING HONORABLE DISCHARGE FROM THE MILITARY A MITIGATING FACTOR UNDER THE FAIR SENTENCING ACT, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary No. 3.

By Representative Bruce Ethridge for the Committee on Natural and Economic Resources:

H. B. 224, A BILL TO BE ENTITLED AN ACT TO PERMIT ALL INCORPORATED CITIES WITHIN THE COASTAL AREA TO NOMINATE MEMBERS OF THE COASTAL RESOURCES COMMISSION, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for April 11, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Bumgardner for the Committee on Transportation:

H. B. 565, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 20-79.2 PERTAINING TO TRANSPORTER REGISTRATION PLATES, with a favorable report.

By Representative Brannan for the Committee on Housing:

H. B. 268, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A RENTAL HOUSING CONSTRUCTION FUND TO ASSIST IN THE DEVELOPMENT OF MULTI-FAMILY HOUSING, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H. B. 269, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A HOMEOWNERSHIP ASSISTANCE FUND ADMINISTERED BY THE HOUSING FINANCE AGENCY AS A PILOT PROGRAM, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

By Representative Lilley for the Committee on Local Government No. 1:

H. B. 734, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MANNER OF ELECTION OF THE NEW BERN BOARD OF ALDERMEN AND MAYOR, with a favorable report.

On motion of Representative Lilley, the rules are suspended and the bill is placed on today's Calendar.

The bill passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

By Representative Gentry for the Committee on Election Laws:

H. B. 386, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS IN THE ELECTIONS STATUTES, with a favorable report, as amended.

H. B. 484, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE ELECTIONS STATUTES AND TO CERTAIN STATUTES CONCERNING SCHOOL BOARD ELECTIONS, with a favorable report, as amended.

H. B. 485, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE SIMULTANEOUS ISSUANCE OF ABSENTEE BALLOTS AND THE APPLICATION FOR ABSENTEE BALLOTS WHEN A VOTER MAKES A PERSONAL REQUEST PURSUANT TO G. S. 163-226, with a favorable report.

H. B. 486, A BILL TO BE ENTITLED AN ACT TO ALLOW CABARRUS COUNTY TO ESTABLISH VOTING PRECINCTS WITHOUT REGARD TO TOWNSHIP BOUNDARIES, with a favorable report.

By Representative Hunt for the Committee on Rules and Operation of the House:

H. J. R. 153, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY POTENTIAL ENVIRONMENTAL AND SAFETY HAZARDS PRODUCED BY WOOD STOVES, with a favorable report and recommendation that the resolution be re-referred to the Committee on Appropriations.

H. J. R. 396, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE DELIVERY OF EMERGENCY MEDICAL SERVICES IN SMALL TOWNS AND RURAL AREAS IN NORTH CAROLINA, with a favorable report and recommendation that the resolution be re-referred to the Committee on Appropriations.

H. J. R. 595, A JOINT RESOLUTION AUTHORIZING CONTINUATION OF THE JOINT SPECIAL COMMITTEE TO REVIEW THE DEPARTMENT OF TRANSPORTATION, with a favorable report and recommendation that the resolution be re-referred to the Committee on Appropriations.

S. J. R. 136, A JOINT RESOLUTION EXPRESSING THE CONCERN OF THE MEMBERS OF THE GENERAL ASSEMBLY AT THIS TIME OF SUBSTANTIAL UNEMPLOYMENT, AND UNDER-EMPLOYMENT, AND URGING THAT ALL INSTRUMENTALITIES OF GOVERNMENT JOIN IN CONSTRUCTIVE ACTION TO ALLEVIATE THE PRESENT DISTRESS, with a favorable report, as amended.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Lancaster:

H. B. 732, A BILL TO BE ENTITLED AN ACT TO PHASE IN A STATEWIDE GUARDIAN AD LITEM PROGRAM FOR CHILD ABUSE AND NEGLECT CASES, is referred to the Committee on Judiciary No. 3.

By Representative Lancaster:

H. B. 733, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE LICENSING OF FACILITIES FOR THE MENTALLY ILL, THE MENTALLY RETARDED AND SUBSTANCE ABUSERS, is referred to the Committee on State Government.

By Representative Chapin:

H. B. 735, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS FOR THE HYDE COUNTY ADULT DEVELOPMENTAL ACTIVITY PROGRAM, is referred to the Committee on Appropriations.

By Representatives Beard, Black, and Lancaster:

H. B. 736, A BILL TO BE ENTITLED AN ACT ESTABLISHING DEPOSITORY ACCOUNTS WITH THE STATE TREASURER FOR CLERKS OF COURT, is referred to the Committee on Finance.

By Representative Enloe:

H. B. 737, A BILL TO BE ENTITLED AN ACT TO AMEND THE EMPLOYMENT SECURITY LAW TO ASSURE FEDERAL COMPLIANCE AND OTHER TECHNICAL AMENDMENTS, is referred to the Committee on Employment Security.

By Representatives Clark and Hackney:

H. B. 738, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR STRICT LIABILITY FOR DAMAGES RESULTING FROM HAZARDOUS WASTES IN NORTH CAROLINA, is referred to the Committee on Water and Air Resources.

By Representatives Clark, Beard, Edwards, Jeralds, and Tyson:

H. B. 739, A BILL TO BE ENTITLED AN ACT TO REPEAL FAYETTEVILLE CIVIL SERVICE COMMISSION, is referred to the Committee on Local Government No. 1.

By Representative Black:

H. B. 740, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE MATTHEWS COMMUNITY HELP CENTER TO HELP REPAIR THE BUILDING, is referred to the Committee on Appropriations.

By Representatives Warren and Jones:

H. B. 741, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE TOWN OF AYDEN TO DISPLAY PAINTINGS OF HISTORICAL INTEREST, is referred to the Committee on Cultural Resources.

By Representative Rabon:

H. B. 742, A BILL TO BE ENTITLED AN ACT RELATING TO THE ELECTION OF TRUSTEES OF SMITHVILLE TOWNSHIP'S J. ARTHUR DOSHER MEMORIAL HOSPITAL, is referred to the Committee on Local Government No. 2.

By Representative Mavretic:

H. B. 743, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSUMER PROTECTION LAW TO MAKE IT EASIER FOR CONSUMERS TO ENFORCE THE RIGHTS GRANTED TO THEM UNDER THE LAW, is referred to the Committee on Judiciary No. 3.

By Representative Holt:

H. B. 744, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 14-320.1 TO RECOGNIZE CHILD CUSTODY ORDERS ISSUED IN OTHER STATES, is referred to the Committee on Judiciary No. 3.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. B. 153, AN ACT TO AMEND THE NORTH CAROLINA FERTILIZER LAW.

H. B. 195, AN ACT TO CLARIFY THE DEPARTMENT OF CORRECTION'S RULE-MAKING PROCEDURES.

H. B. 274, AN ACT TO AUTHORIZE THE NORTH CAROLINA HOUSING FINANCE AGENCY TO MAKE LOANS TO MORTGAGE LENDERS.

H. B. 275, AN ACT TO REPEAL THE REQUIREMENT FOR A CERTIFICATE OF CONVENIENCE AND NECESSITY FROM THE UTILITIES COMMISSION BEFORE A HOUSING AUTHORITY CAN EXERCISE THE POWER OF EMINENT DOMAIN.

H. B. 304, AN ACT TO REQUIRE CONSENT OF THE UNION COUNTY BOARD OF COMMISSIONERS BEFORE LAND IN THAT COUNTY MAY BE CONDEMNED OR ACQUIRED BY A UNIT OF LOCAL GOVERNMENT OUTSIDE THE COUNTY.

H. B. 379, AN ACT TO PROVIDE THAT THE SHERIFF ISSUE BERTIE COUNTY WEAPON PERMITS.

H. B. 418, AN ACT TO AUTHORIZE THE COUNTY OF CASWELL TO CONVEY A PARCEL OF LAND AT PRIVATE SALE TO THE CHEROKEE COUNCIL OF THE BOY SCOUTS OF AMERICA, INC.

H. B. 423, AN ACT TO ADD A SPEED RESTRICTION FOR SUBDIVISION STREETS.

H. B. 405, AN ACT TO AUTHORIZE THE CITY OF MONROE TO CONVEY TO THE UNITED STATES OR ANY AGENCY THEREOF WITH OR WITHOUT MONETARY CONSIDERATION, OR TO EXCHANGE WITH THE UNITED STATES OR UNITED STATES POSTAL SERVICE OR ANY AGENCY THEREOF FOR OTHER REAL AND/OR PERSONAL PROPERTY CERTAIN REAL PROPERTY OWNED BY THE CITY OF MONROE.

CALENDAR

Action is taken on the following:

H. B. 518, A BILL TO BE ENTITLED AN ACT TO AMEND THE AVERAGE COST

BASIS FORMULA THE CITY OF RALEIGH MAY USE TO ASSESS THE COST OF EXTENDING WATER AND SEWER LINES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Burnley, Chapin, Childress, Church, Coble, Cochrane, Cook, J. W. Crawford, N. J. Crawford, Creecy, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hauser, Hayden, Helms, Holmes, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, and Wright — 106.

Voting in the negative: None.

Excused absences: Representatives Hasty, Holt, and Rhodes — 3.

H. B. 597, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF WEDDINGTON IN UNION COUNTY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Burnley, Chapin, Childress, Church, Coble, Cochrane, Cook, J. W. Crawford, N. J. Crawford, Creecy, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hauser, Hayden, Helms, Holmes, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, and Wright — 106.

Voting in the negative: None.

Excused absences: Representatives Hasty, Holt, and Rhodes — 3.

H. B. 629, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE CITY OF KANNAPOLIS SUBJECT TO A VOTE OF THE PEOPLE AND TO CREATE A COMMISSION TO DEVELOP ITS CHARTER, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Burnley, Chapin, Childress, Church, Coble, Cochrane, Cook, J. W. Crawford, N. J. Crawford, Creecy, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hauser, Hayden, Helms, Holmes, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Murphy, Musselwhite, Nash,

Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, and Wright — 106.

Voting in the negative: None.

Excused absences: Representatives Hasty, Holt, and Rhodes — 3.

H. B. 466, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF STATESVILLE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Burnley, Chapin, Childress, Church, Coble, Cochrane, Cook, J. W. Crawford, N. J. Crawford, Creecy, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hauser, Hayden, Helms, Holmes, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, and Wright — 106.

Voting in the negative: None.

Excused absences: Representatives Hasty, Holt, and Rhodes — 3.

H. B. 525, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A CHANGE IN THE MANNER OF SELECTION OF THE WASHINGTON CITY BOARD OF EDUCATION, SUBJECT TO A REFERENDUM, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Burnley, Chapin, Childress, Church, Coble, Cochrane, Cook, J. W. Crawford, N. J. Crawford, Creecy, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hauser, Hayden, Helms, Holmes, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, and Wright — 106.

Voting in the negative: None.

Excused absences: Representatives Hasty, Holt, and Rhodes — 3.

H. B. 540, A BILL TO BE ENTITLED AN ACT TO INCLUDE THREE SATELLITE AREAS WITHIN THE CORPORATE LIMITS OF THE CITY OF LENOIR, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen,

Brannan, Brawley, Brennan, Brown, Brubaker, Burnley, Chapin, Childress, Church, Coble, Cochrane, Cook, J. W. Crawford, N. J. Crawford, Creecy, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hauser, Hayden, Helms, Holmes, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, and Wright — 106.

Voting in the negative: None.

Excused absences: Representatives Hasty, Holt, and Rhodes — 3.

H. B. 560, A BILL TO BE ENTITLED AN ACT TO EMPOWER CHOWAN HOSPITAL TO USE ATTACHMENT AND GARNISHMENT PROCEDURES FOR COLLECTING UNPAID BILLS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Beall, Beam, Beard, Berry, Black, Brannan, Brawley, Brennan, Brown, Brubaker, Chapin, Childress, Church, Cochrane, Colton, J. W. Crawford, N. J. Crawford, Creecy, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hauser, Hayden, Helms, Holmes, Hudson, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Kennedy, Lacey, Lambeth, Lee, Ligon, Lilley, Locks, Lutz, McDowell, Matthews, Mauney, Mavretic, Murphy, Musselwhite, Nash, Nesbitt, Poovey, Quinn, Rabon, Redding, Roberts, Seymour, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 91.

Voting in the negative: Representatives Barnes, Bowen, Burnley, Coble, Hackney, Keesee, Lancaster, McAlister, Owens, Pool, Pulley, and Slaughter — 12.

Excused absences: Representatives Hasty, Holt, and Rhodes — 3.

H. B. 505, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF MORGANTON FOR THE PURPOSE OF PERMITTING THE MAYOR TO VOTE ON ALL ISSUES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 514, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DAVIE COUNTY BOARD OF COMMISSIONERS TO CONVEY CERTAIN REAL PROPERTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 531, A BILL TO BE ENTITLED AN ACT TO REPEAL THE AUTHORIZATION FOR A GREENVILLE CEMETERY PURCHASE FUND, AND TO AUTHORIZE TRANSFER OF MONIES FROM THAT FUND, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 562, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR FILING AND NOTICE OF ELECTION TO THE COLUMBUS COUNTY BOARD OF EDUCATION AND THE WHITEVILLE CITY BOARD OF EDUCATION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 573, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DARE COUNTY BOARD OF COMMISSIONERS TO ABOLISH OR REDUCE THE SIZE OF THE KITTY HAWK FIRE PROTECTION DISTRICT, AND TO CHANGE THE NAME OF THE DISTRICT.

On motion of Representative Lilley, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 599, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LENOIR COUNTY TO PERMIT DISPOSITION OF LAND FOR A SPECIAL PURPOSE AT FAIR MARKET VALUE WITHOUT COMPETITIVE BIDDING: TO PERMIT DISPOSITION OF LAND ON THE BASIS OTHER THAN THE HIGHEST MONETARY BID, WHERE SUCH DISPOSITION IS FOUND TO SERVE THE BEST INTEREST OF THE MUNICIPALITY, AND TO DISPOSE OF PROPERTY AT PRIVATE SALE.

On motion of Representative Lilley, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 613, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TYRRELL COUNTY BOARD OF COMMISSIONERS TO ENTER INTO CERTAIN CONTRACTS WITHOUT COMPLYING WITH THE PROVISIONS OF CHAPTER 133 AND OF ARTICLE 8 OF CHAPTER 143 OF THE GENERAL STATUTES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 627, A BILL TO BE ENTITLED AN ACT TO AMEND THE SCHOOL BUDGET AND FISCAL CONTROL ACT AS IT APPLIES TO SAMPSON COUNTY CONCERNING APPROVAL OF EXPENDITURES SOME OR ALL OF WHICH ARE TO BE PAID IN ENSUING FISCAL YEARS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 630, A BILL TO BE ENTITLED AN ACT RESTRICTING THE USE OF LOCAL SALES AND USE TAX REVENUE IN BURKE COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S. B. 172, A BILL TO BE ENTITLED AN ACT RELATING TO THE PRIMA

FACIE RULE OF EVIDENCE FOR ENFORCEMENT OF PARKING REGULATIONS IN THE CITY OF WINSTON-SALEM, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 170, A BILL TO BE ENTITLED AN ACT TO EXTEND THE SUNSET PROVISION ON AN ACT TO AUTHORIZE THE CITY OF RALEIGH TO EXERCISE CERTAIN LAND ACQUISITION AND DISPOSAL PROCEDURES.

Representatives Adams, Blue, and Musselwhite request that they be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 204, A BILL TO BE ENTITLED AN ACT TO PERMIT PERSONS TO ENGAGE IN BUSINESS AS A PAWNBROKER IN UNINCORPORATED AREAS OF JACKSON COUNTY.

On motion of Representative Lilley, Committee Amendment No. 1 is adopted. This amendment changes the title.

The bill, as amended, passes its second reading and remains on the Calendar.

S. B. 192, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF HENDERSONVILLE TO AUTHORIZE ITS ZONING BOARD OF ADJUSTMENT TO MAKE DECISIONS PURSUANT TO A SEVEN MEMBER MAJORITY VOTE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

H. B. 528, A BILL TO BE ENTITLED AN ACT TO AMEND THE ESCHEAT AND ABANDONED PROPERTY LAWS OF NORTH CAROLINA.

The bill, as amended, passes its third reading, by electronic vote (101-0), and is ordered engrossed and sent to the Senate.

Committee Substitute for H. B. 40, A BILL TO BE ENTITLED AN ACT TO SUBJECT NURSING HOME BEDS IN HOSPITALS TO THE NURSING HOME PATIENTS BILL OF RIGHTS.

On motion of Representative Economos, the bill is postponed indefinitely by electronic vote (103-3).

Committee Substitute for H. B. 38, A BILL TO BE ENTITLED AN ACT TO REWRITE THE CRIMINAL STATUTE REGARDING CONTRACTS BETWEEN LANDLORDS AND TENANTS.

Representative Blue offers Amendment No. 2 which is adopted by electronic vote (105-2).

Representative Jordan moves that the bill be re-referred to the Committee on Agriculture.

Representative Locks moves, seconded by Representative Adams, that the motion to re-refer the bill do lie upon the table.

Representative Wright moves, seconded by Representative Barker, that the bill do lie upon the table.

Representative Locks moves, seconded by Representative Blue, that the House adjourn. This motion fails to carry by electronic vote (38-69).

Now the question is the motion by Representative Wright that the bill do lie upon the table. This motion fails to carry by electronic vote (52-55).

Now the question is the motion by Representative Locks that Representative Jordan's motion to re-refer the bill to the Committee on Agriculture do lie upon the table. This motion carries by electronic vote (61-46).

Representative Hackney calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its second reading by electronic vote (69-39).

Representative James objects to the third reading.

Representative Hackney moves that the rules be suspended in order for the bill to have its third reading. This motion fails to carry by electronic vote (46-62).

On motion of Representative Wright, the bill is placed on the Calendar for April 12, 1983 by electronic vote (84-20).

H. B. 282, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR INCREASED PENALTIES FOR THE DRIVER OF ANY MOTOR VEHICLE FAILING TO YIELD TO A PEDESTRIAN IN A SCHOOL CROSSWALK.

On motion of Representative Hackney, consideration of the bill is postponed until April 8, 1983.

H. B. 408, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE PROCEDURE FOR ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.

On motion of Representative Bumgardner, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 475, A BILL TO BE ENTITLED AN ACT TO HAVE DISCOVERY PAPERS FILED WITH CLERK ONLY WHEN USED IN PROCEEDING, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for S. B. 94, A BILL TO BE ENTITLED AN ACT TO PLACE THE PRESIDENT OF THE MAGISTRATE'S ASSOCIATION ON THE COURTS COMMISSION.

On motion of Representative Helms, Committee Amendment No. 1 is adopted.

Representative Kennedy offers Amendment No. 2 which fails of adoption by electronic vote (53-55).

The bill, as amended, passes its second reading by electronic vote (97-12).

Representative Spaulding objects to the third reading.

On motion of Representative Helms, the bill is placed on the Calendar for April 12, 1983.

On motion of Representative Hunt, seconded by Representative Murphy, the House adjourns to reconvene April 8, 1983 at 10:00 a.m.

SIXTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Friday, April 8, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Lilley.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of April 7 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Black, Bumgardner, Fenner, Hasty, Ligon, Rabon, Rhodes, Robinson, Spoon, Stamey, and Wright for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Ballance, Church, J. W. Crawford, and Watkins:

H. B. 745, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO REDUCE THE UNDUE BURDEN PLACED ON WARREN COUNTY AFTER HAVING TO ABSORB THE PCB TOXIC WASTE THAT WAS SPREAD OVER SOME THIRTEEN COUNTIES AND FORT BRAGG, is referred to the Committee on Appropriations.

By Representatives Auman, Holt, McAlister, and Owens:

H. B. 746, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN LAND HELD BY THE OWNER OF A SUBDIVIDED TRACT SHALL BE APPRAISED AS ACREAGE INSTEAD OF AS LOTS, is referred to the Committee on Finance.

By Representatives McAlister, Holt, Jordan, and McDowell:

H. B. 747, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PRESERVE AND RESTORE THE GOVERNOR DAVID S. REID HOUSE IN REIDSVILLE, ROCKINGHAM COUNTY, is referred to the Committee on Cultural Resources.

By Representative Economos:

H. B. 748, A BILL TO BE ENTITLED AN ACT TO SPECIFICALLY INCLUDE MONEY USED IN DRUG DEALING AS PROPERTY SUBJECT TO FORFEITURE UNDER THE CONTROLLED SUBSTANCES ACT, is referred to the Committee on Judiciary No. 2.

By Representative Economos:

H. B. 749, A BILL TO BE ENTITLED AN ACT TO MAKE LARCENY PURSUANT TO A FELONIOUS BREAKING OR ENTERING OF A CAR, AIRPLANE, ETC., A FELONY REGARDLESS OF THE VALUE OF THE PROPERTY TAKEN, is referred to the Committee on Judiciary No. 2.

By Representatives Colton, Beall, N. J. Crawford, Enloe, Greenwood, Hunter, and Nesbitt:

H. B. 750, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS TO WESTERN NORTH CAROLINA PUBLIC RADIO, INC., FOR WUNF-FM, is referred to the Committee on Cultural Resources.

By Representatives Mavretic and Matthews:

H. B. 751, A BILL TO BE ENTITLED AN ACT REGARDING CUMULATIVE VOTING BY SHAREHOLDERS FOR DIRECTORS OF A CORPORATION CHARTERED BEFORE JULY 1, 1957, is referred to the Committee on Corporations.

By Representatives Mavretic and Matthews:

H. B. 752, A BILL TO BE ENTITLED AN ACT TO PERMIT THE PARTY HAVING BEEN A VICTIM OF PROHIBITED ACTS BY DEBT COLLECTORS TO COLLECT ATTORNEY'S FEES, is referred to the Committee on Judiciary No. 3.

By Representatives Mauney, Greenwood, and Hayden:

H. J. R. 753, A JOINT RESOLUTION CONTINUING THE LEGISLATIVE RESEARCH COMMISSION STUDY ON THE TWELFTH GRADE, is referred to the Committee on Rules and Operation of the House.

By Representative Diamont:

H. B. 754, A BILL TO BE ENTITLED AN ACT TO ANNEX TERRITORY TO THE TOWN OF PILOT MOUNTAIN, is referred to the Committee on Local Government No. 1.

By Representative Hackney:

H. B. 755, A BILL TO BE ENTITLED AN ACT TO PROVIDE AUTHORITY TO IMPLEMENT A PETROLEUM ALLOCATION SET-ASIDE SYSTEM NECESSARY TO MANAGE AN ENERGY SHORTAGE WITHIN THE STATE, is referred to the Committee on Energy.

By Representatives McDowell, Holt, Jordan, and McAlister:

H. B. 756, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE DEVELOPMENT AND IMPROVEMENT OF THE SNOW CAMP DRAMA SOCIETY'S HISTORIC AND CULTURAL ACTIVITIES AND PROGRAMS, is referred to the Committee on Cultural Resources.

By Representative Blue:

H. B. 757, A BILL TO BE ENTITLED AN ACT TO CLARIFY PROVISIONS IN THE READABLE INSURANCE POLICIES ACT, is referred to the Committee on Insurance.

By Representatives Blue and Jeralds:

H. B. 758, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR COURT REVIEW OF CHILDREN WHOSE PARENTS' PARENTAL RIGHTS HAVE BEEN TERMINATED, is referred to the Committee on Judiciary No. 3.

By Representatives Blue and Jeralds:

H. B. 759, A BILL TO BE ENTITLED AN ACT TO SPECIFY A SUMMONS FOR TERMINATION OF PARENTAL RIGHTS CASES, TO PROVIDE FOR AN ANSWER IN SUCH CASES, AND TO SPECIFY WHO IS TO RECEIVE COPIES OF TERMINATION OF PARENTAL RIGHTS ORDERS, is referred to the Committee on Judiciary No. 3.

By Representatives Seymour, Barker, Beard, Bowen, Burnley, Chapin, Coble, Economos, Edwards, Gist, Grimsley, Jarrell, Keesee, Lutz, Owens, and Pulley:

H. J. R. 760, A JOINT RESOLUTION DIRECTING THE MENTAL HEALTH STUDY COMMISSION TO EXAMINE FUNDING POLICIES OF AREA MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE PROGRAMS, is referred to the Committee on Rules and Operation of the House.

By Representatives Tennille, Childres, Hauser, Kennedy, and Womble:

H. B. 761, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A VISITOR CENTER AT HISTORIC BETHABARA, INC. is referred to the Committee on Cultural Resources.

By Representative Adams, Speaker Ramsey, and Representatives Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hauser, Hayden, Helms, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright:

H. J. R. 762, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF EVERETT CASE AND THE WINNING TRADITION OF COLLEGE BASKETBALL IN THE STATE OF NORTH CAROLINA HE FOSTERED, CULMINATING IN BACK TO BACK N.C.A.A. BASKETBALL CHAMPIONSHIPS BY THE UNIVERSITY OF NORTH CAROLINA TARHEELS AND THE NORTH CAROLINA STATE UNIVERSITY WOLFPACK, is referred to the Committee on Rules and Operation of the House.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for H. B. 152, A BILL TO BE ENTITLED AN ACT TO PERMIT TRANSFER OF PRISONERS AMONG COUNTIES, is returned for concurrence in Senate amendment and is placed on the Calendar for April 11, 1983.

H. B. 314, A BILL TO BE ENTITLED AN ACT TO PERMIT PASQUOTANK AND CHOWAN COUNTIES TO SELL IMPOUNDED DOGS AND CATS TO LICENSED ANIMAL DEALERS, is returned for concurrence in Senate amendment and is placed on the Calendar for April 11, 1983.

H. B. 390, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE WILDLIFE PRESERVE AND BIRD SANCTUARY IN CAPE COLONY SUBDIVISION, CHOWAN COUNTY, is returned for concurrence in Senate amendment and is placed on the Calendar for April 11, 1983.

S. B. 239, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE ELECTIVE OFFICE OF MITCHELL COUNTY ACCOUNTANT SO AS TO ALLOW THE COUNTY BOARD OF COMMISSIONERS TO APPOINT A COUNTY FINANCE OFFICER UNDER THE GENERAL LAW, is read the first time and is referred to the Committee on Local Government No. 2.

S. B. 242, A BILL TO BE ENTITLED AN ACT TO AMEND THE GREENSBORO PUBLIC SCHOOL CODE, is read the first time and is referred to the Committee on Local Government No. 2.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 14, AN ACT TO CONFORM STATE LAW ON LEGISLATORS' INCOME TAX DEDUCTIONS FOR BUSINESS EXPENSES TO FEDERAL LAW.

H. B. 187, AN ACT TO CLARIFY THE EXEMPTION OF OUT-OF-STATE SALES OF PRINTED MATERIALS FROM TAXATION.

H. B. 467, AN ACT TO DEFINE THE CORPORATE LIMITS OF THE TOWN OF EAST BEND IN YADKIN COUNTY.

S. B. 118, AN ACT TO ALLOW STATE AND LOCAL GOVERNMENTS AND PUBLIC AUTHORITIES TO DEPOSIT PUBLIC MONEYS AT INTEREST IN ANY SAVINGS AND LOAN ASSOCIATION IN THE STATE, AND TO DESIGNATE AS OFFICIAL DEPOSITORIES ONE OR MORE SAVINGS AND LOAN ASSOCIATIONS IN THIS STATE.

S. B. 170, AN ACT TO EXTEND THE SUNSET PROVISION ON AN ACT TO AUTHORIZE THE CITY OF RALEIGH TO EXERCISE CERTAIN LAND ACQUISITION AND DISPOSAL PROCEDURES.

S. B. 172, AN ACT RELATING TO THE PRIMA FACIE RULE OF EVIDENCE FOR ENFORCEMENT OF PARKING REGULATIONS IN THE CITY OF WINSTON-SALEM.

S. B. 192, AN ACT TO PERMIT THE CITY OF HENDERSONVILLE TO AUTHORIZE ITS ZONING BOARD OF ADJUSTMENT TO MAKE DECISIONS PURSUANT TO A SEVEN MEMBER MAJORITY VOTE.

CALENDAR

Action is taken on the following:

H. B. 518, A BILL TO BE ENTITLED AN ACT TO AMEND THE AVERAGE COST BASIS FORMULA THE CITY OF RALEIGH MAY USE TO ASSESS THE COST OF EXTENDING WATER AND SEWER LINES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Allran, Anderson, Ballance, Barbee, Barker, Beall, Beam, Berry, Blue, Bowen, Brannan, Brawley, Brown, Brubaker, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hauser, Hayden, Holmes, Holt, Hudson, C. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Murphy, Nash, Owens, Poovey, Pulley, Quinn, Redding, Roberts, Seymour, Slaughter, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, and B. Woodard — 90.

Voting in the negative: Representative C. Woodard.

Excused absences: Representatives Black, Bumgardner, Fenner, Hasty, Rabon, Rhodes, Robinson, Spoon, Stamey, and Wright — 10.

H. B. 597, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF WEDDINGTON IN UNION COUNTY, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Allran, Anderson, Ballance, Barbee, Barker, Beall, Beam, Berry, Blue, Bowen, Brannan, Brawley, Brown, Brubaker, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hauser, Hayden, Holmes, Holt, Hudson, C. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Murphy, Nash, Owens, Poovey, Pulley, Quinn, Redding, Roberts, Seymour, Slaughter, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, and B. Woodard — 90.

Voting in the negative: Representative C. Woodard.

Excused absences: Representatives Black, Bumgardner, Fenner, Hasty, Rabon, Rhodes, Robinson, Spoon, Stamey, and Wright — 10.

H. B. 629, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE CITY OF KANNAPOLIS SUBJECT TO A VOTE OF THE PEOPLE AND TO CREATE A COMMISSION TO DEVELOP ITS CHARTER, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Allran, Anderson, Ballance, Barbee, Barker, Beall, Beam, Berry, Blue, Bowen, Brannan, Brawley, Brown, Brubaker, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hauser, Hayden, Holmes, Holt, Hudson, C. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Murphy, Nash, Owens, Poovey, Pulley, Quinn, Redding, Roberts, Seymour, Slaughter, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, and B. Woodard — 90.

Voting in the negative: Representative C. Woodard.

Excused absences: Representatives Black, Bumgardner, Fenner, Hasty, Rabon, Rhodes, Robinson, Spoon, Stamey, and Wright — 10.

H. B. 466, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF STATESVILLE, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Allran, Anderson, Ballance, Barbee, Barker, Beall, Beam, Berry, Blue, Bowen, Brannan, Brawley, Brown, Brubaker, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hauser, Hayden, Holmes, Holt, Hudson, C. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Murphy, Nash, Owens, Poovey, Pulley, Quinn, Redding, Roberts, Seymour, Slaughter, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, and B. Woodard — 90.

Voting in the negative: Representative C. Woodard.

Excused absences: Representatives Black, Bumgardner, Fenner, Hasty, Rabon, Rhodes, Robinson, Spoon, Stamey, and Wright — 10.

H. B. 525, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A CHANGE IN THE MANNER OF SELECTION OF THE WASHINGTON CITY BOARD OF EDUCATION, SUBJECT TO A REFERENDUM, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Allran, Anderson, Ballance, Barbee, Barker, Beall, Beam, Berry, Blue, Bowen, Brannan, Brawley, Brown, Brubaker, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hauser, Hayden, Holmes, Holt, Hudson, C. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Murphy, Nash, Owens, Poovey, Pulley, Quinn, Redding, Roberts, Seymour, Slaughter, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, and B. Woodard — 90.

Voting in the negative: Representative C. Woodard.

Excused absences: Representatives Black, Bumgardner, Fenner, Hasty, Rabon, Rhodes, Robinson, Spoon, Stamey, and Wright — 10.

H. B. 540, A BILL TO BE ENTITLED AN ACT TO INCLUDE THREE SATELLITE AREAS WITHIN THE CORPORATE LIMITS OF THE CITY OF LENOIR, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Allran, Anderson, Ballance, Barbee, Barker, Beall, Beam, Berry, Blue, Bowen, Brannan, Brawley, Brown, Brubaker, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hauser, Hayden, Holmes, Holt, Hudson, C. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Murphy, Nash, Owens, Poovey, Pulley, Quinn, Redding, Roberts, Seymour, Slaughter, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, and B. Woodard — 90.

Voting in the negative: Representative C. Woodard.

Excused absences: Representatives Black, Bumgardner, Fenner, Hasty, Rabon, Rhodes, Robinson, Spoon, Stamey, and Wright — 10.

H. B. 560, A BILL TO BE ENTITLED AN ACT TO EMPOWER CHOWAN HOSPITAL TO USE ATTACHMENT AND GARNISHMENT PROCEDURES FOR COLLECTING UNPAID BILLS.

Representative Pool offers Amendment No. 1 which is adopted by electronic vote (88-8).

On motion of Representative Nesbitt, consideration of the bill is postponed until April 12, 1983 by electronic vote (89-10).

S. B. 204, A BILL TO BE ENTITLED AN ACT TO PERMIT PERSONS TO ENGAGE IN BUSINESS AS A PAWNBROKER IN UNINCORPORATED AREAS OF JACKSON AND LENOIR COUNTIES.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

H. B. 486, A BILL TO BE ENTITLED AN ACT TO ALLOW CABARRUS COUNTY TO ESTABLISH VOTING PRECINCTS WITHOUT REGARD TO TOWNSHIP BOUNDARIES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for S. B. 182, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA PARKING FACILITIES REVENUE BOND ACT, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont,

Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hauser, Helms, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Huskins, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Nash, Nesbitt, Owens, Pool, Poovey, Pulley, Quinn, Redding, Roberts, Seymour, Slaughter, Spaulding, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, and C Woodard — 101.

Voting in the negative: None.

Excused absences: Representatives Black, Bumgardner, Fenner, Hasty, Rabon, Rhodes, Robinson, Spoon, Stamey, and Wright — 10.

H. B. 282, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR INCREASED PENALTIES FOR THE DRIVER OF ANY MOTOR VEHICLE FAILING TO YIELD TO A PEDESTRIAN IN A SCHOOL CROSSWALK.

On motion of Representative Holt, Committee Amendment No. 1 is adopted.

Representative Pulley offers Amendment No. 2 which is adopted.

Representative Holt calls the previous question on the passage of the bill and the call is sustained by electronic vote (96-2).

The bill, as amended, passes its second reading by electronic vote (88-3).

Representative Holt objects to the third reading. The bill remains on the Calendar.

S. B. 121, A BILL TO BE ENTITLED AN ACT REGARDING REQUESTS FOR STATE ASSISTANCE BY PRIVATE COLLEGES AND UNIVERSITIES, passes its second reading, by electronic vote, (89-11), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

H. B. 565, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 20-79.2 PERTAINING TO TRANSPORTER REGISTRATION PLATES, passes its second reading, by electronic vote (99-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 386, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS IN THE ELECTIONS STATUTES.

On motion of Representative McAlister, Committee Amendments Nos. 1 and 2 are adopted.

The bill, as amended, passes its second reading, by electronic vote (93-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 484, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE ELECTIONS STATUTES AND TO CERTAIN STATUTES CONCERNING SCHOOL BOARD ELECTIONS.

On motion of Representative Gentry, Committee Amendment No. 1 is adopted. This Amendment changes the title.

The bill, as amended, passes its second reading, by electronic vote (95-0), and remains on the Calendar.

H. B. 485, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE SIMULTANEOUS ISSUANCE OF ABSENTEE BALLOTS AND THE APPLICATION FOR ABSENTEE BALLOTS WHEN A VOTER MAKES A PERSONAL REQUEST PURSUANT TO G. S. 163-226, passes its second reading, by electronic vote (95-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S. J. R. 136, A JOINT RESOLUTION EXPRESSING THE CONCERN OF THE MEMBERS OF THE GENERAL ASSEMBLY AT THIS TIME OF SUBSTANTIAL UNEMPLOYMENT, AND UNDER-EMPLOYMENT, AND URGING THAT ALL INSTRUMENTALITIES OF GOVERNMENT JOIN IN CONSTRUCTIVE ACTION TO ALLEVIATE THE PRESENT DISTRESS.

On motion of Representative Mavretic, Committee Amendment No. 1 is adopted.

The resolution, as amended, passes its second reading, by electronic vote (80-17), and there being no objection is read a third time.

The resolution, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

On motion of Representative Hunt, seconded by Representative James, the House adjourns to reconvene Monday, April 11, 1983 at 8:00 p.m.

SIXTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Monday, April 11, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Mr. William Presnell, St. Paul's United Methodist Church, Maxton, North Carolina.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of April 8 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Black, Brubaker, Burnley, Huskins, and Murphy for today.

Representative Seymour is recognized by the Speaker.

Representative Seymour approaches the Well of the House to introduce the Honorable Robin Britt, United States Congressman, representing the North Carolina Sixth Congressional District.

Congressman Britt speaks briefly on the importance of a good relationship between the State Legislature and the United States Congress.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Miller for the Committee on Judiciary No. 1:

H. B. 106, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 39 TO FURTHER EQUALIZE BETWEEN MARRIED PERSONS THE RIGHT TO INCOME, POSSESSION AND CONTROL IN PROPERTY OWNED CONCURRENTLY IN TENANCY BY THE ENTIRETY, with an unfavorable report as to bill, favorable as to committee substitute bill, and recommendation that the substitute bill be re-referred to the Committee on Finance.

The substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for S. B. 97, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LENGTH OF TIME FOR WHICH NOTICE OF A FORECLOSURE HEARING MUST BE POSTED, with a favorable report.

By Representative Evans for the Committee on Banks and Thrift Institutions:

Committee Substitute for S. B. 117, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MEMBERSHIP OF THE STATE BANKING COMMISSION, with an unfavorable report as to Senate committee substitute bill, favorable as to House committee substitute bill, which changes the title.

The House committee substitute bill is placed on the Calendar for April 13, 1983. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Lambeth for the Committee on Wildlife Resources:

H. B. 572, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM ROADS IN PART OF PERQUIMANS COUNTY, with a favorable report, as amended.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Economos:

H. B. 763, A BILL TO BE ENTITLED AN ACT TO ASSURE EFFECTIVE PROSECUTION OF THE OFFENSE OF DRIVING WHILE LICENSE REVOKED WHEN A DEFENDANT HAS FAILED TO NOTIFY THE DIVISION OF MOTOR VEHICLES OF A CHANGE OF ADDRESS AS REQUIRED BY LAW, is referred to the Committee on Highway Safety.

By Representative Lilley:

H. B. 764, A BILL TO BE ENTITLED AN ACT TO AMEND THE LIMITATIONS ON STATE FINANCIAL AID TO AVIATION, is referred to the Committee on Transportation.

By Representatives Mavretic, Barbee, Fenner, and Matthews:

H. B. 765, A BILL TO BE ENTITLED AN ACT TO ALLOW PRINCEVILLE TO ENTER INTO CONTRACTS FOR THE REDEVELOPMENT OF LAND, DISPOSE OF LAND AT PRIVATE SALE AND ALLOWING THE TOWN TO APPROVE A NONPROFIT CORPORATION WHICH MAY ISSUE BONDS AND LEND THE

PROCEEDS TO A DEVELOPER, RELATING TO REDEVELOPMENT, is referred to the Committee on Local Government No. 1.

By Representative B. Woodard:

H. B. 766, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 90-107 TO CLARIFY THE FACT THAT A WARRANT IS NOT REQUIRED FOR AN INSPECTION OF PRESCRIPTIONS, STOCKS, ETC., CONDUCTED PURSUANT TO THAT STATUTE, is referred to the Committee on Health.

By Representative B. Woodard:

H. B. 767, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 90-108 TO PROHIBIT EMBEZZLEMENT OF CONTROLLED SUBSTANCES BY EMPLOYEES OF PRACTITIONERS AND REGISTRANTS, AND TO PROHIBIT "DOCTOR SHOPPING" AS A MEANS OF FRAUDULENTLY OBTAINING CONTROLLED SUBSTANCES FROM PRACTITIONERS, is referred to the Committee on Health.

By Representative Beard:

H. R. 768, A HOUSE RESOLUTION DIRECTING THE ATTORNEY GENERAL TO FURNISH THE HOUSE OF REPRESENTATIVES WITH HIS OPINION ON QUESTIONS OF LAW CONCERNING THE DUTIES OF THE INSURANCE COMMISSIONER, is referred to the Committee on Rules and Operation of the House.

By Representative Roberts:

H. B. 769, A BILL TO BE ENTITLED AN ACT TO REMOVE THE PRESENT LIMITATIONS FOR TIME WITHIN WHICH DEATH MUST RESULT FROM A COMPENSABLE INJURY OR OCCUPATIONAL DISEASE UNDER THE WORKERS' COMPENSATION ACT, is referred to the Committee on Manufacturers and Labor.

By Representative Roberts:

H. B. 770, A BILL TO BE ENTITLED AN ACT TO PROVIDE A CAREER COMPENSATION PLAN FOR ASSISTANT DISTRICT ATTORNEYS, is referred to the Committee on Courts and Administration of Justice.

By Representatives Greenwood, Colton, N. J. Crawford, and Nesbitt:

H. B. 771, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR WESTERN NORTH CAROLINA GROUP HOME FOR AUTISTIC ADULTS IN ASHEVILLE, is referred to the Committee on Appropriations.

By Representatives Miller, Adams, and Watkins:

H. B. 772, A BILL TO BE ENTITLED AN ACT TO RAISE JUSTICES' AND JUDGES' SALARIES, is referred to the Committee on Courts and Administration of Justice.

By Representatives Hauser, Childress, Grimsley, Kennedy, Tennille, and Womble:

H. B. 773, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO LEASE THE RIGHT-OF-WAY OF INTERSTATE HIGHWAY 40 TO THE CITY OF WINSTON-SALEM FOR A PARKING FACILITY, is referred to the Committee on Transportation.

By Representatives Helms and C. Hughes:

H. B. 774, A BILL TO BE ENTITLED AN ACT REGARDING PROBATION REVOCATION IN A COUNTY OTHER THAN THE COUNTY OF ORIGINAL CONVICTION, is referred to the Committee on Courts and Administration of Justice.

By Representatives Lee and C. Hughes:

H. B. 775, A BILL TO BE ENTITLED AN ACT TO CLARIFY A SHERIFF'S PERSONAL LIABILITY FOR THE ACTS OF HIS DEPUTY, is referred to the Committee on Law Enforcement.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S. B. 224, A BILL TO BE ENTITLED AN ACT TO REDEFINE THE TERMS "DETECTION OF DECEPTION EXAMINER" AS USED IN THE PRIVATE PROTECTIVE SERVICES ACT, is read the first time and is referred to the Committee on Judiciary No. 4.

H. B. 66, A BILL TO BE ENTITLED AN ACT TO REVISE AND SIMPLIFY G. S. 8-57 REGARDING THE TESTIMONY OF SPOUSES IN CRIMINAL ACTIONS, is returned for concurrence in Senate amendment and is placed on the Calendar for April 12, 1983.

S. B. 221, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 49 OF CHAPTER 106, RELATING TO HATCHERIES AND CHICK DEALERS, is read the first time and is referred to the Committee on Agriculture.

S. B. 245, A BILL TO BE ENTITLED AN ACT TO AMEND ADMINISTRATIVE PROVISIONS OF THE MARINE FISHERIES ACT TO MAKE A TECHNICAL CHANGE, is read the first time and is referred to the Committee on Natural and Economic Resources.

S. B. 246, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. CHAPTER 143, ARTICLE 38 SO AS TO ELIMINATE OUTMODED PROVISIONS CONCERNING THE STATE STREAM SANITATION COMMITTEE AND THE BOARD OF WATER RESOURCES, AND AN OBSOLUTE REFERENCE TO THE SAND DUNE LAW, is read the first time and is referred to the Committee on Natural and Economic Resources.

S. B. 273, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE EMERGENCY ADMISSIONS OF JUVENILES TO TREATMENT FACILITIES, is read the first time and is referred to the Committee on Mental Health.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 166, AN ACT TO PERMIT RATE DEVIATIONS IN WORKERS' COMPENSATION AND EMPLOYERS' LIABILITY INSURANCE.

S. B. 121, AN ACT REGARDING REQUESTS FOR STATE ASSISTANCE BY PRIVATE COLLEGES AND UNIVERSITIES.

CALENDAR

Action is taken on the following:

H. B. 314, A BILL TO BE ENTITLED AN ACT TO PERMIT PASQUOTANK AND CHOWAN COUNTIES TO SELL IMPOUNDED DOGS AND CATS TO LICENSED ANIMAL DEALERS.

On motion of Representative James, the House concurs in the Senate amendment, which changes the title, and the bill is ordered enrolled.

H. B. 390, A BILL TO BE ENTITLED AN ACT TO AMEND THE PROVISIONS OF THE WILDLIFE PRESERVE AND BIRD SANCTUARY IN CAPE COLONY SUBDIVISION, CHOWAN COUNTY.

On motion of Representative James, the House concurs in the Senate amendment, which changes the title, and the bill is ordered enrolled.

Committee Substitute for H. B. 152, A BILL TO BE ENTITLED AN ACT TO PERMIT TRANSFER OF PRISONERS AMONG COUNTIES.

On motion of Representative Hunter, the House concurs in the Senate amendment and the bill is ordered enrolled.

Committee Substitute for S. B. 182, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA PARKING FACILITIES REVENUE BOND ACT, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Bumgardner, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Nash, Nesbitt, Owens, Pool, Poovey, Pulley, Quinn, Redding, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Stamey, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 105.

Voting in the negative: None.

Excused absences: Representatives Black, Brubaker, Burnley, Huskins, and Murphy — 5.

H. B. 282, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR INCREASED PENALTIES FOR THE DRIVER OF ANY MOTOR VEHICLE FAILING TO YIELD TO A PEDESTRIAN IN A SCHOOL CROSSWALK.

On motion of Representative Holt, the bill is ordered engrossed and re-referred to the Committee on Judiciary No. 3.

H. B. 484, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE ELECTIONS STATUTES.

The bill, as amended, passes its third reading, by electronic vote (104-0), and is ordered engrossed and sent to the Senate.

Committee Substitute for H. B. 224, A BILL TO BE ENTITLED AN ACT TO PERMIT ALL INCORPORATED CITIES WITHIN THE COASTAL AREA TO NOMINATE MEMBERS OF THE COASTAL RESOURCES COMMISSION, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

On motion of Representative Hunt, seconded by Representative Miller, the House adjourns to reconvene April 12, 1983 at 1:30 p.m.

SIXTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, April 12, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Helms.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of April 11 has been examined an found correct. Upon is motion, the Journal is approved as written.

Leaves of absence are granted Representatives Burnley, Gist, Murphy, and Slaughter for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative B. Woodard for the Committee on Health:

H. B. 551, A BILL TO BE ENTITLED AN ACT AMENDING THE COUNTY HOSPITAL ACT TO AUTHORIZE A COUNTY HOSPITAL TO ESTABLISH AND OPERATE BRANCH FACILITIES IN OTHER COUNTIES, with a favorable report, as amended.

By Representative Pulley for the Committee on Judiciary No. 4:

H. B. 522, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE NECESSITY OF A CITED PERSON SIGNING THE TRAFFIC CITATION, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for April 14, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Church for the Committee on State Government:

H. B. 671, A BILL TO BE ENTITLED AN ACT TO ALLOW APPRENTICE AND REGISTERED COSMETOLOGISTS FROM OTHER STATES TO BE ADMITTED TO PRACTICE COSMETIC ART IN NORTH CAROLINA THROUGH RECIPROCITY, with a favorable report.

S. B. 169, A BILL TO BE ENTITLED AN ACT TO REVISE PROCEDURES OF THE BOARD OF PODIATRY EXAMINERS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

By Representative Quinn for the Committee on Finance:

H. B. 177, A BILL TO BE ENTITLED AN ACT PROVIDING COMPENSATION FOR INNOCENT VICTIMS OF CRIME, with a favorable report.

H. B. 222, A BILL TO BE ENTITLED AN ACT TO EXPAND THE CIVIL PENALTIES FOR VIOLATIONS OF THE COASTAL AREA MANAGEMENT ACT, with a favorable report.

H. B. 223, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE COASTAL RESOURCES COMMISSION TO SET A FEE OF UP TO ONE HUNDRED DOLLARS FOR A CAMA MAJOR DEVELOPMENT PERMIT, with a favorable report.

Committee Substitute for H. B. 255, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 74C, THE PRIVATE PROTECTIVE SERVICES ACT, with a favorable report.

S. B. 186, A BILL TO BE ENTITLED AN ACT TO AMEND THE FEES CHARGED BY THE NORTH CAROLINA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, with a favorable report.

By Representative Foster for the Committee on Education:

H. B. 334, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM PROVIDING FOR PUBLIC SCHOOL TEACHERS AND COLLEGE ECUCATION TEACHERS TO EXCHANGE DUTIES, with a favorable report.

By Representative Lancaster for the Committee on Judiciary No. 3:

H. B. 694, A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENT OF A NEW REGISTRATION OF VOTERS UPON INCORPORATION OF A MUNICIPALITY AND SIMULTANEOUS DISSOLUTION OF A SANITARY DISTRICT, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Barnes and Hackney:

H. B. 776, A BILL TO BE ENTITLED AN ACT TO MAKE MISCELLANEOUS CHANGES IN LOCAL LAWS AFFECTING ORANGE AND CHATHAM COUNTIES, is referred to the Committee on Local Government No. 1.

By Representatives Tennille, Childress, Hauser, and Kennedy:

H. B. 777, A BILL TO BE ENTITLED AN ACT APPROPRIATING FUNDS FOR PROGRAMS THAT REDUCE DRUG-RELATED CRIME AND CRIMINAL RECIDIVISM AMONG SUBSTANCE-ABUSING OFFENDERS, is referred to the Committee on Appropriations.

By Representative Ligon:

H. B. 778, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCOME TAX CREDIT TO BUSINESSES FOR ELECTRONIC SURVEILLANCE EQUIPMENT

AND DIGITAL COMMUNICATORS USED TO PREVENT CRIME, is referred to the Committee on Finance.

By Representative Brennan:

H. B. 779, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CERTIFICATE OF NEED LAW FOR LIFE CARE CENTERS, is referred to the Committee on Human Resources.

By Representative Brennan:

H. B. 780, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ENFORCEMENT OF DAY-CARE LICENSING, is referred to the Committee on Human Resources.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 82, AN ACT TO EXEMPT CERTAIN VOLUNTEER AND MUNICIPAL FIRE DEPARTMENTS FROM THE OCCUPATIONAL SAFETY AND HEALTH ACT OF NORTH CAROLINA.

H. B. 152, AN ACT TO PERMIT TRANSFER OF PRISONERS AMONG COUNTIES.

H. B. 314, AN ACT TO PERMIT DARE, PASQUOTANK AND CHOWAN COUNTIES TO SELL IMPOUNDED DOGS AND CATS TO LICENSED ANIMAL DEALERS.

H. B. 390, AN ACT TO ESTABLISH A WILDLIFE PRESERVE AND BIRD SANCTUARY IN CAPE COLONY SUBDIVISION, CHOWAN COUNTY.

S. B. 182, AN ACT TO AMEND THE NORTH CAROLINA PARKING FACILITIES REVENUE BOND ACT.

CALENDAR

Action is taken on the following:

H. B. 66, A BILL TO BE ENTITLED AN ACT TO REVISE AND SIMPLIFY G. S. 8-57 REGARDING THE TESTIMONY OF SPOUSES IN CRIMINAL ACTIONS.

On motion of Representative Hackney, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 560, A BILL TO BE ENTITLED AN ACT TO EMPOWER CHOWAN HOSPITAL TO USE ATTACHMENT AND GARNISHMENT PROCEDURES FOR COLLECTING UNPAID BILLS.

On motion of Representative James, the bill is ordered engrossed and re-referred to the Committee on Local Government No. 1.

H. B. 572, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM ROADS IN PART OF PERQUIMANS COUNTY.

On motion of Representative Helms, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Committee Substitute for H. B. 38, A BILL TO BE ENTITLED AN ACT TO REWRITE THE CRIMINAL STATUTE REGARDING CONTRACTS BETWEEN LANDLORDS AND TENANTS.

On motion of Representative Hackney, the bill is ordered engrossed and re-referred to the Committee on Agriculture by electronic vote (107-3).

Committee Substitute for S. B. 94, A BILL TO BE ENTITLED AN ACT TO PLACE THE PRESIDENT OF THE MAGISTRATE'S ASSOCIATION ON THE COURTS COMMISSION.

Representative Kennedy offers Amendment No. 3 which is adopted by electronic vote (58-54). This amendment changes the title.

The bill remains on the Calendar.

H. B. 519, A BILL TO BE ENTITLED AN ACT TO REVISE THE QUALIFICATIONS FOR REAL ESTATE LICENSES.

Representative Mavretic offers an amendment.

Representative Mavretic withdraws his amendment.

Representative Wicker moves that the bill be re-referred to the Committee on State Government and this motion fails to carry by electronic vote (41-70).

Representative Musselwhite calls the previous question, on the passage of the bill, and the call is sustained by electronic vote (67-41).

The bill, as amended, passes its second reading by electronic vote (81-32).

Representative Mavretic objects to the third reading. The bill remains on the Calendar.

S. J. R. 15, A JOINT RESOLUTION REQUESTING THAT THE GOVERNOR OF NORTH CAROLINA CONSIDER THE APPOINTMENT OF MORE ELDERLY CITIZENS TO STATE BOARDS AND COMMISSIONS, passes its second reading, by electronic vote (89-5), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for S. B. 97, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LENGTH OF TIME FOR WHICH NOTICE OF A FORECLOSURE HEARING MUST BE POSTED.

On motion of Representative Hackney, the bill is re-referred to the Committee on Judiciary No. 1.

On motion of Representative Hunt, seconded by Representative Tyson, the House adjourns to reconvene April 13, 1983 at 1:30 p.m.

SIXTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, April 13, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Brown.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of April 12 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Bumgardner and Childress for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Fussell for the Committee on Highway Safety:

H. B. 285, A BILL TO BE ENTITLED AN ACT PROVIDING THAT PERSONALIZED PLATES FOR COMMERCIAL VEHICLES SHALL NOT HAVE THE WORD "COMMERCIAL" ON THEM AND REGULATING THE REPLACEMENT OF REGISTRATION PLATES, with a favorable report.

H. B. 342, A BILL TO BE ENTITLED AN ACT TO PERMIT ALTERNATIVE MARKINGS ON VEHICLES TRANSPORTING DANGEROUS ARTICLES THAT STOP AT RAILROAD CROSSINGS, with a favorable report.

By Representative McDowell for the Committee on Corrections:

H. B. 681, A BILL TO BE ENTITLED AN ACT TO ALLOW THE PAROLE COMMISSION TO DENY REENTRY PAROLE TO CERTAIN OFFENDERS, with a favorable report.

H. B. 719, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEPARTMENT OF CORRECTION'S AUTHORITY TO PROVIDE TREATMENT AND TRAINING PROGRAMS FOR MENTALLY RETARDED PRISONERS, with a favorable report.

By Representative Lutz for the Committee on Local Government No. 2:

H. B. 500, A BILL TO BE ENTITLED AN ACT TO ALLOW CENTRAL PIEDMONT COMMUNITY COLLEGE TO LEASE CERTAIN PROPERTY, with a favorable report.

H. B. 662, A BILL TO BE ENTITLED AN ACT TO CHANGE THE JURISDICTION OF THE ROANOKE VOYAGES CORRIDOR COMMISSION, with a favorable report.

By Representative Lilley for the Committee on Local Government No. 1:

H. B. 553, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE TAR RIVER PORT COMMISSION, with a favorable report.

H. B. 566, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF FAYETTEVILLE TO EXERCISE CERTAIN LAND ACQUISITION AND DISPOSAL PROCEDURES, with a favorable report.

H. B. 576, A BILL TO BE ENTITLED AN ACT TO REAPPORTION THE NEW BERN–CRAVEN COUNTY BOARD OF EDUCATION AND TO REDUCE ITS SIZE FROM TWELVE TO SEVEN MEMBERS, with a favorable report.

H. B. 600, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MEMBERSHIP OF THE INDUSTRIAL DEVELOPMENT COMMISSION FOR STANLY COUNTY, with a favorable report.

H. B. 601, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE STANLY COUNTY BOARD OF COMMISSIONERS MAY DESIGNATE A COMMISSIONER TO SERVE EX OFFICIO ON THE STANLY COUNTY AIRPORT AUTHORITY, with a favorable report.

H. B. 606, A BILL TO BE ENTITLED AN ACT TO ALLOW WILSON COUNTY TO LEASE HOSPITAL FACILITIES FOR LONGER THAN TEN YEARS, TO RESOLVE A CONFLICT BETWEEN TWO STATUTES, with a favorable report.

H. B. 635, A BILL TO BE ENTITLED AN ACT EXEMPTING FROM THE PROVISIONS OF ARTICLE 12, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, THE COUNTY OF EDGECOMBE AS TO LEASES OR SALES OF REAL ESTATE OWNED OR HEREAFTER OWNED BY IT FOR THE USE AND BENEFIT OF THE EDGECOMBE COUNTY DEVELOPMENT CORPORATION OR BY SUCH CORPORATION ITSELF, with a favorable report.

H. B. 707, A BILL TO BE ENTITLED AN ACT TO ALLOW HERTFORD COUNTY TO SELL CERTAIN INDUSTRIAL PROPERTY AT PRIVATE SALE, with a favorable report.

H. B. 739, A BILL TO BE ENTITLED AN ACT TO REPEAL FAYETTEVILLE CIVIL SERVICE COMMISSION, with a favorable report.

S. B. 183, A BILL TO BE ENTITLED AN ACT TO ALLOW FORSYTH COUNTY TO DELEGATE THE AUTHORITY TO MAKE CERTAIN RELEASES AND REFUNDS OF PROPERTY TAX, with a favorable report.

S. B. 214, A BILL TO BE ENTITLED AN ACT TO REPEAL OBSOLETE LOCAL ACTS RELATING TO PAY OF OFFICIALS OF FRANKLIN COUNTY, with a favorable report.

By Representative Colton for the Committee on Cultural Resources:

H. B. 488, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A SURVEY OF HISTORICALLY AND ARCHITECTURALLY SIGNIFICANT STRUCTURES IN NASH COUNTY, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H. B. 515, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO REIMBURSE THE PITT–GREENVILLE CHAMBER OF COMMERCE, INC., FOR RESTORATION OF THE HISTORIC FLEMING HOUSE, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H. B. 533, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE RESTORATION AND RENOVATION OF BROWN HALL, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H. B. 547, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE SUPPORT OF THE NATURE SCIENCE CENTER OF FORSYTH COUNTY, INCORPORATED, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

By Representative Hightower for the Committee on Insurance:

H. B. 490, A BILL TO BE ENTITLED AN ACT TO PERMIT PAYMENT OF DIVIDENDS BASED ON THE LOSS EXPERIENCE OF INDIVIDUAL POLICYHOLDERS, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for April 15, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Hackney for the Committee on Energy:

H. B. 665, A BILL TO BE ENTITLED AN ACT TO AMEND THE CORPORATION INCOME TAX ACT TO PROVIDE FOR SOLAR TAX CREDITS FOR CORPORATIONS ENGAGED IN SERVICE AS WELL AS MANUFACTURING BUSINESSES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

H. B. 666, A BILL TO BE ENTITLED AN ACT TO AMEND THE INDIVIDUAL INCOME TAX ACT TO PROVIDE FOR SOLAR TAX CREDITS FOR INDIVIDUALS' SERVICE AS WELL AS MANUFACTURING BUSINESSES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

By Representative Helms for the Committee on Courts and Administration of Justice:

H. B. 415, A BILL TO BE ENTITLED AN ACT TO MAKE CLEAR THAT PERSONAL JURISDICTION MAY BE OBTAINED BY SERVICE BY PUBLICATION, with a favorable report.

By Representative McAlister for the Committee on Water and Air Resources:

H. B. 649, A BILL TO BE ENTITLED AN ACT TO REVISE THE PARTS OF CHAPTER 162A OF THE GENERAL STATUTES RELATING TO METROPOLITAN SEWERAGE DISTRICTS, with a favorable report.

On motion of Representative Wright, H. B. 720, A BILL TO BE ENTITLED AN ACT TO AMEND THE NOTICE REQUIREMENTS OF G. S. 105-375, is withdrawn from the Committee on Judiciary No. 2 and is re-referred to the Committee on Finance.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Creecy and Gillam:

H. B. 781, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST IN THE RESTORATION OF THE NORTHAMPTON COUNTY CLERK AND REGISTER'S OFFICE IN JACKSON, is referred to the Committee on Cultural Resources.

By Representatives Hayden, Diamont, and Gentry:

H. B. 782, A BILL TO BE ENTITLED AN ACT REQUIRING PROPERTY OWNERS OF ADJOINING PROPERTY IN CERTAIN COUNTIES TO MAINTAIN FENCES ON PROPERTY LINES, is referred to the Committee on Local Government No. 2.

By Representative Jordan:

H. J. R. 783, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE SALARIES AND FRINGE BENEFITS OF STATE EMPLOYEES TO DETERMINE WHETHER THEY ARE COMPARABLE TO SALARIES AND FRINGE BENEFITS IN THE PRIVATE SECTOR, is referred to the Committee on Rules and Operation of the House.

By Representative Bruce Ethridge:

H. B. 784, A BILL TO BE ENTITLED AN ACT TO AMEND THE BEACH ACCESS PROGRAM RELATING TO LAND ACQUISITION, is referred to the Committee on Natural and Economic Resources.

By Representatives Clark and Lancaster:

H. B. 785, A BILL TO BE ENTITLED AN ACT TO BE KNOWN AS THE NORTH CAROLINA TIME SHARE ACT AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary No. 3.

By Representatives James, Creecy, and Evans:

H. B. 786, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST IN THE ADAPTIVE RESTORATION OF THE GATES COUNTY COURTHOUSE IN GATESVILLE, is referred to the Committee on Cultural Resources.

By Representatives Anderson, Barker, Barnes, Beall, Beam, Blue, Clark, Colton, Bruce Ethridge, Fenner, Gillam, Hayden, Hightower, Hunt, Hunter, James, Jones, Ligon, Lilley, Matthews, Mavretic, Nash, Nesbitt, Owens, Pool, Slaughter, Tennille, Tyson, Warren, and C. Woodard:

H. B. 787, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE USE OF COMMERICAL WASTEWATER TREATMENT OPERATION FIRMS, is referred to the Committee on Water and Air Resources.

By Representatives Barker, Anderson, and Lilley:

H. B. 788, A BILL TO BE ENTITLED AN ACT TO ALLOW THE MAYOR OF THE CITY OF NEW BERN TO VOTE ON ALL MATTERS BEFORE THE BOARD OF ALDERMEN, is referred to the Committee on Local Government No. 1.

By Representative Musselwhite:

H. B. 789, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A UNIT OF LOCAL GOVERNMENT TO PROVIDE A DISCOUNT FOR SPECIAL ASSESSMENT PAYMENTS MADE WITHIN THIRTY DAYS OF THE DUE DATE, is referred to the Committee on Local Government No. 1.

By Representative Pulley:

H. B. 790, A BILL TO BE ENTITLED AN ACT TO PERMIT ENFORCEMENT OF ALIMONY JUDGMENTS WHILE ON APPEAL, is referred to the Committee on Judiciary No. 4.

By Representative Pulley:

H. B. 791, A BILL TO BE ENTITLED AN ACT TO PERMIT ENFORCEMENT OF CHILD SUPPORT AND CUSTODY JUDGMENTS WHILE ON APPEAL, is referred to the Committee on Judiciary No. 4.

By Representative Poovey:

H. B. 792, A BILL TO BE ENTITLED AN ACT TO ALLOW THE BURKE COUNTY BOARD OF COMMISSIONERS TO LEVY LOCAL SALES TAXES AND USE TAXES WITHOUT A REFERENDUM IF A REFERENDUM ON THE ISSUE HAS NOT BEEN DEFEATED WITHIN THE LAST THREE YEARS, AND TO RESTRICT USE OF THE TAXES SO LEVIED, is referred to the Committee on Local Government No. 1.

By Representatives Evans, Chapin, and James:

H. B. 793, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST IN THE ADAPTIVE RESTORATION OF THE LATHAM HOUSE IN PLYMOUTH, is referred to the Committee on Cultural Resources.

By Representatives Evans and James:

H. B. 794, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST IN THE RESTORATION OF THE CUPOLA AND BARKER HOUSES IN EDENTON, is referred to the Committee on Cultural Resources.

By Representatives Evans and James:

H. B. 795, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF COROLLA IN CURRITUCK COUNTY, is referred to the Committee on Local Government No. 1.

By Representatives Berry, Black, Brennan, Easterling, Economos, Foster, Helms, and Spoon:

H. B. 796, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CHARLOTTE/MECKLENBURG COUNTY SCHOOLS TO EXTEND THE PROBATIONARY PERIOD FOR NONTENURED TEACHERS AND TO ELIMINATE THE REDUCTION IN THE PROBATIONARY PERIOD FOR TEACHERS IT EMPLOYS WHO ALREADY HAVE TENURE IN ANOTHER NORTH CAROLINA SCHOOL SYSTEM, is referred to the Committee on Local Government No. 2.

By Representatives Fussell, Anderson, Beam, Brennan, Easterling, Economos, Edwards, Bruce Ethridge, Fenner, Fletcher, Foster, Jeralds, Mauney, Seymour, Wicker, and C. Woodard:

H. B. 797, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE ATTORNEY GENERAL TO APPOINT AN ATTORNEY SPECIALIZING IN THE LAW OF THE HANDICAPPED, is referred to the Committee on Courts and Administration of Justice.

By Representatives Womble, Childress, Grimsley, Hauser, Kennedy, and Tennille:

H. B. 798, A BILL TO BE ENTITLED AN ACT TO GRANT THE WINSTON-SALEM/FORSYTH COUNTY BOARD OF EDUCATION AUTHORITY TO SELL SURPLUS SCHOOL PROPERTY TO NONPROFIT ORGANIZATIONS BY PRIVATE NEGOTIATIONS AND SALE, is referred to the Committee on Local Government No. 2.

By Representative Tennille (by request):

H. B. 799, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE FORSYTH COUNTY TO LEVY ADDITIONAL ONE PERCENT SALES AND USE TAXES, is referred to the Committee on Finance.

By Representative Pulley:

H. B. 800, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 65 RELATING TO FUNERAL AND BURIAL TRUST FUNDS, is referred to the Committee on Judiciary No. 4.

On motion of Representative Hunt, the Rules are suspended and the following is introduced and read the first time:

By Representative Hunt:

H. J. R. 809, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES AT 7:00 P.M., MONDAY, APRIL 18, 1983, FOR THE CONDUCT OF BUSINESS.

On motion of Representative Hunt, the rules are suspended and the resolution is placed before the House for immediate consideration.

The resolution passes its second reading by electronic vote (106-0).

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

On motion of Representative Quinn, the rules are suspended and the following is introduced and read the first time:

By Representative Quinn:

H. B. 811, A BILL TO BE ENTITLED AN ACT TO EXCLUDE CERTAIN TERRITORY FROM THE PROPOSED CITY OF KANNAPOLIS IF ANNEXED BY THE CITY OF CONCORD.

On motion of Representative Quinn, the rules are suspended and the bill is placed on the Calendar for April 14, 1983.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for H. B. 151, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES RELATING TO PUBLIC ACCOUNTANTS, is returned for concurrence in Senate amendments and is placed on the Calendar for April 14, 1983.

H. B. 428, A BILL TO BE ENTITLED AN ACT TO PERMIT ALL INCORPORATED CITIES AND TOWNS TO LEVY AUTO TAXES OF NOT MORE THAN FIVE DOLLARS, is returned for concurrence in Senate amendment and is placed on the Calendar for April 14, 1983.

S. B. 196, A BILL TO BE ENTITLED AN ACT TO APPROVE THE SOUTHEAST INTERSTATE LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT COMPACT, is read the first time and is referred to the Committee on Judiciary No. 1.

S. B. 263, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 53 OF THE GENERAL STATUTES OF NORTH CAROLINA RELATING TO BANKS, is read the first time and is referred to the Committee on Banks and Thrift Institutions.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. B. 204, AN ACT TO PERMIT PERSONS TO ENGAGE IN BUSINESS AS A PAWNBROKER IN UNINCORPORATED AREAS OF JACKSON AND LENOIR COUNTIES.

H. B. 66, AN ACT TO REVISE AND SIMPLIFY G. S. 8-57 REGARDING THE TESTIMONY OF SPOUSES IN CRIMINAL ACTIONS.

H. B. 221, AN ACT TO ALLOW THE COASTAL RESOURCES COMMISSION TO ISSUE GENERAL PERMITS UNDER THE COASTAL AREA MANAGEMENT ACT AND UNDER THE DREDGE AND FILL LAW.

H. B. 229, AN ACT TO DECREASE THE TIME ALLOTTED FOR THE CONSIDERATION OF PERMITS UNDER THE COASTAL AREA MANAGEMENT ACT.

H. B. 231, AN ACT TO PROVIDE FOR THE ISSUANCE OF SPECIAL EMERGENCY PERMITS UNDER THE COASTAL AREA MANAGEMENT ACT.

H. B. 734, AN ACT TO CHANGE THE MANNER OF ELECTION OF THE NEW BERN BOARD OF ALDERMEN AND MAYOR.

S. J. R. 15, A JOINT RESOLUTION REQUESTING THAT THE GOVERNOR OF NORTH CAROLINA CONSIDER THE APPOINTMENT OF MORE ELDERLY CITIZENS TO STATE BOARDS AND COMMISSIONS.

S. J. R. 136, A JOINT RESOLUTION EXPRESSING THE CONCERN OF THE MEMBERS OF THE GENERAL ASSEMBLY AT THIS TIME OF SUBSTANTIAL UNEMPLOYMENT, AND UNDER-EMPLOYMENT, AND URGING THAT ALL INSTRUMENTALITIES OF GOVERNMENT JOIN IN CONSTRUCTIVE ACTION TO ALLEVIATE THE PRESENT DISTRESS.

CALENDAR

Action is taken on the following:

H. B. 177, A BILL TO BE ENTITLED AN ACT PROVIDING COMPENSATION FOR INNOCENT VICTIMS OF CRIME.

On motion of Representative Womble, the bill is re-referred to the Committee on Appropriations.

H. B. 223, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE COASTAL RESOURCES COMMISSION TO SET A FEE OF UP TO ONE HUNDRED DOLLARS FOR A CAMA MAJOR DEVELOPMENT PERMIT, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Burnley, Chapin, Church, Coble, Cochrane,

Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, Jarrell, Jeralds, Jones, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Robinson, Seymour, Slaughter, Spaulding, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 108.

Voting in the negative: Representative Ligon.

Excused absences: Representatives Bumgardner and Childress — 2.

Committee Substitute for H. B. 255, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 74C, THE PRIVATE PROTECTIVE SERVICES ACT.

On motion of Representative Church, consideration of the bill is postponed until April 21, 1983.

S. B. 186, A BILL TO BE ENTITLED AND ACT TO AMEND THE FEES CHARGED BY THE NORTH CAROLINA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Burnley, Chapin, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Keesee, Kennedy, Lacey, Lambeth, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Robinson, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 111.

Voting in the negative: None.

Excused absences: Representatives Bumgardner and Childress — 2.

H. B. 519, A BILL TO BE ENTITLED AN ACT TO REVISE THE QUALIFICATIONS FOR REAL ESTATE LICENSES.

Representative Hightower offers Amendment No. 2 which is adopted by electronic vote (111-0).

Representative Mavretic offers Amendment No. 3 which is adopted by electronic vote (57-52).

On motion of Representative Musselwhite, the bill is ordered engrossed and re-referred to the Committee on State Government by electronic vote (84-25).

Committee Substitute for S. B. 94, A BILL TO BE ENTITLED AN ACT TO PLACE A MAGISTRATE ON THE COURTS COMMISSION.

The bill, as amended, passes its third reading, by electronic vote (104-1), and is ordered sent to the Senate for concurrence in House amendments.

House Committee Substitute for Senate Committee Substitute for S. B. 117, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MEMBERSHIP OF THE STATE BANKING COMMISSION AND TO SUBJECT THE APPOINTMENT OF THE COMMISSIONER OF BANKS TO CONFIRMATION BY THE GENERAL ASSEMBLY, passes its second reading, by electronic vote (98-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

H. B. 551, A BILL TO BE ENTITLED AN ACT AMENDING THE COUNTY HOSPITAL ACT TO AUTHORIZE A COUNTY HOSPITAL TO ESTABLISH AND OPERATE BRANCH FACILITIES IN OTHER COUNTIES.

On motion of Representative James, consideration of the bill it postponed until April 18, 1983.

H. B. 671, A BILL TO BE ENTITLED AN ACT TO ALLOW APPRENTICE AND REGISTERED COSMETOLOGISTS FROM OTHER STATES TO BE ADMITTED TO PRACTICE COSMETIC ART IN NORTH CAROLINA THROUGH RECIPROCITY, passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 222, A BILL TO BE ENTITLED AN ACT TO EXPAND THE CIVIL PENALTIES FOR VIOLATIONS OF THE COASTAL AREA MANAGEMENT ACT, passes its second reading, by electronic vote (105-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 334, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM PROVIDING FOR PUBLIC SCHOOL TEACHERS AND COLLEGE EDUCATION TEACHERS TO EXCHANGE DUTIES, passes its second reading, by electronic vote (106-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 694, A BILL TO BE ENTITLED AN ACT TO REPEAL THE REQUIREMENT OF A NEW REGISTRATION OF VOTERS UPON INCORPORATION OF A MUNICIPALITY AND SIMULTANEOUS DISSOLUTION OF A SANITARY DISTRICT, passes its second reading, by electronic vote (101-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

On motion of Representative Hunt, seconded by Representative Nash, the House adjourns to reconvene April 14, 1983 at 1:30 p.m.

SIXTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Thursday, April 14, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Berry.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of April 13 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Beard, Bumgardner, Childress, James, Lambeth, and Slaughter for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Economos for the Committee on Aging:

H. B. 542, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ADDITIONAL INCOME TAX PERSONAL EXEMPTION FOR INDIVIDUALS AGE SEVENTY AND OVER, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

By Representative Church for the Committee on State Government:

Committee Substitute for S. B. 83, A BILL TO BE ENTITLED AN ACT SETTING STANDARDS FOR QUALIFICATION, TRAINING AND EXPERIENCE FOR PERSONS SEEKING TO REPRESENT THEMSELVES TO THE PUBLIC AS CERTIFIED SOCIAL WORKERS: CREATING A STATE BOARD OF EXAMINERS FOR SOCIAL WORKERS: DEFINING THE FUNCTIONS AND DUTIES OF THAT BOARD: AND PROVIDING FOR PENALTIES, with an unfavorable report as to Senate committee substitute bill, favorable as to House committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance.

The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Fussell for the Committee on Highway Safety:

H. B. 683, A BILL TO BE ENTITLED AN ACT TO REWRITE G. S. 20-217 PERTAINING TO PASSING STOPPED SCHOOL BUSES AND RECEIVING OR DISCHARGING PASSENGERS FROM SCHOOL BUSES STOPPED ON DIVIDED ROADWAYS, with a favorable report.

By Representative Quinn for the Committee on Finance:

Committee Substitute for H. B. 259, A BILL TO BE ENTITLED AN ACT TO SPECIFY THAT REVENUE FROM THE PRIVILEGE LICENSE TAX ON DAY-CARE FACILITIES BE USED FOR A STATEWIDE INFORMATION SYSTEM ON DAY CARE, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Appropriations.

On motion of Representative Quinn, Committee Amendment No. 1 is adopted, and the bill is ordered engrossed and re-referred to the Committee on Appropriations.

H. B. 477, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FINE FOR ILLEGALLY PARKING IN A PROPERLY DESIGNATED HANDICAPPED PARKING SPACE, with a favorable report.

H. B. 617, A BILL TO BE ENTITLED AN ACT TO IMPOSE A SEPARATE PRIVILEGE LICENSE TAX ON PERSONS ENGAGED IN AN ALARM SYSTEM BUSINESS LICENSED UNDER THE PRIVATE PROTECTIVE SERVICES ACT, with a favorable report.

S. B. 152, A BILL TO BE ENTITLED AN ACT TO PROHIBIT CITIES FROM LEVYING A PRIVILEGE LICENSE TAX ON PERSONS ENGAGED IN THE BUSINESS OF PEST CONTROL, with a favorable report.

On motion of Representative Quinn, the rules are suspended and the bill is placed on the Calendar for April 19, 1983.

By Representative Brannan for the Committee on Housing:

H. B. 278, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PARTIAL INCOME TAX EXCLUSION FOR INTEREST EARNED ON DEPOSITS IN NORTH CAROLINA INSTITUTIONS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

By Representative Holt for the Committee on Constitutional Amendments:

H. B. 458, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO REQUIRE THAT DISTRICT ATTORNEYS AND THE ATTORNEY GENERAL BE LICENSED TO PRACTICE LAW, with a favorable report.

By Representative Bruce Ethridge for the Committee on Natural and Economic Resources:

H. B. 226, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT LOCAL GOVERNMENTS APPLY FOR MAJOR DEVELOPMENT PERMITS FOR ALL DEVELOPMENT UNDER THE COASTAL AREA MANAGEMENT ACT, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

On motion of Representative Bruce Ethridge, the substitute bill is placed on the Calendar for April 19, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 228, A BILL TO BE ENTITLED AN ACT TO PROHIBIT DEVELOPMENT PURSUANT TO A CAMA PERMIT WHILE A REQUEST FOR A HEARING ON THAT PERMIT IS PENDING, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

On motion of Representative Bruce Ethridge, the substitute bill is placed on the Calendar for April 19, 1983. The original bill is placed on the Unfavorable Calendar.

On motion of Representative Lutz, H. B. 796, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CHARLOTTE/MECKLENBURG COUNTY SCHOOLS TO EXTEND THE PROBATIONARY PERIOD FOR NONTENURED TEACHERS AND TO ELIMINATE THE REDUCTION IN THE PROBATIONARY PERIOD FOR TEACHERS IT EMPLOYS WHO ALREADY HAVE TENURE IN ANOTHER

NORTH CAROLINA SCHOOL SYSTEM, is withdrawn from the Committee on Local Government No. 2 and is re-referred to the Committee on Local Government No. 1.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Auman:

H. B. 801, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF SOUTHERN PINES, is referred to the Committee on Local Government No. 1.

By Representatives Jarrell, Coble, and Seymour:

H. B. 802, A BILL TO BE ENTITLED AN ACT TO PROVIDE A MANNER OF ELECTION AND THE FILLING OF VACANCIES OF THE HIGH POINT CITY BOARD OF EDUCATION, is referred to the Committee on Local Government No. 2.

By Representatives Colton, N. J. Crawford, Greenwood, and Nesbitt:

H. B. 803, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 115C-521 CONCERNING THE IMPROVEMENT, RENOVATION, MAINTENANCE AND REPAIR OF SCHOOL BUILDINGS UPON SITES LEASED TO THE BUNCOMBE COUNTY BOARD OF EDUCATION, is referred to the Committee on Local Government No. 2.

By Representatives Colton, N. J. Crawford, Greenwood, and Nesbitt:

H. B. 804, A BILL TO BE ENTITLED AN ACT TO AMEND THE SCHOOL BUDGET AND FISCAL CONTROL ACT CONCERNING APPROVAL OF EXPENDITURES SOME OR ALL OF WHICH ARE TO BE PAID IN ENSUING FISCAL YEARS IN BUNCOMBE COUNTY, is referred to the Committee on Local Government No. 2.

By Representative Helms:

H. B. 805, A BILL TO BE ENTITLED AN ACT TO REQUIRE PROVISIONS IN ACCIDENT AND HEALTH INSURANCE POLICIES FOR CONVERSION PRIVILEGES FOR FORMER SPOUSES, is referred to the Committee on Insurance.

By Representative Helms:

H. B. 806, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE HIT AND RUN STATUTE TO PROVIDE THAT A PERSON MUST ONLY HAVE KNOWLEDGE THAT HE WAS INVOLVED IN AN ACCIDENT OR COLLISION AND NOT THAT SUCH ACCIDENT OR COLLISION CAUSED INJURY OR DEATH OR PROPERTY DAMAGE, is referred to the Committee on Highway Safety.

By Representatives Mavretic, Barbee, Fenner, and Matthews:

H. B. 807, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE HISTORIC PRESERVATION FUND OF EDGECOMBE COUNTY, INC., is referred to the Committee on Cultural Resources.

By Representative Mavretic:

H. B. 808, A BILL TO BE ENTITLED AN ACT TO EXCLUDE NEW EMPLOYEES OF CERTAIN LICENSING AND EXAMINING BOARDS, EMPLOYEE

AND TEACHER ASSOCIATIONS, AND PRIVATE NOT-FOR-PROFIT CORPORATIONS FROM THE MEMBERSHIP OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM OF NORTH CAROLINA, is referred to the Committee on Pensions and Retirement.

By Representative Barbee:

H. B. 810, A BILL TO BE ENTITLED AN ACT TO ALLOW THE SPEAKER OF THE HOUSE AND THE PRESIDENT OF THE SENATE TO AUTHORIZE STUDIES BY STANDING COMMITTEES AND TO CREATE AND APPOINT SELECT COMMITTEES OF THE GENERAL ASSEMBLY, AND TO MAKE TECHNICAL AMENDMENTS, is referred to the Committee on Rules and Operation of the House.

By Representatives Gist, Berry, Creecy, Edwards, Grimsley, Hauser, Jeralds, and Locks:

H. B. 812, A BILL TO BE ENTITLED AN ACT APPROPRIATING FUNDS TO OFFENDER AID AND RESTORATION OF GUILFORD COUNTY, is referred to the Committee on Appropriations.

By Representatives Brannan and B. Woodard:

H. B. 813, A BILL TO BE ENTITLED AN ACT RELATING TO PRIVATE LAKES IN JOHNSTON COUNTY, is referred to the Committee on Local Government No. 1.

By Representatives Miller, Brennan, Colton, Cook, Easterling, Hayden, Holt, Keesee, Seymour, Stamey, Tennille, and Thomas:

H. B. 814, A BILL TO BE ENTITLED AN ACT TO REGULATE THE PRACTICE OF MIDWIFERY, is referred to the Committee on State Government.

By Representative Lilley:

H. B. 815, A BILL TO BE ENTITLED AN ACT TO PERMIT THE APPOINTMENT OF TWO AT-LARGE MEMBERS OF THE AERONAUTICS COUNCIL, is referred to the Committee on State Government.

By Representatives Womble, Childress, Grimsley, Hauser, Kennedy, and Tennille:

H. B. 816, A BILL TO BE ENTITLED AN ACT PROHIBITING INTERFERENCE WITH AN EMERGENCY IN FORSYTH COUNTY, is referred to the Committee on Local Government No. 2.

By Representatives Evans and Chapin:

H. B. 817, A BILL TO BE ENTITLED AN ACT REGARDING ESCAPES FROM LOCAL CONFINEMENT FACILITIES, is referred to the Committee on Judiciary No. 3.

By Representative Coble:

H. B. 818, A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL TAX-LEVYING AUTHORITY APPROVAL FOR ALL IMPROVEMENTS TO COMMUNITY COLLEGES AND TECHNICAL INSTITUTES FUNDED FROM PRIVATE SOURCES BEFORE THE LOCAL TAX-LEVYING AUTHORITY WILL BE RESPONSIBLE FOR LOCAL FINANCIAL SUPPORT, is referred to the Committee on Higher Education.

By Representative Coble:

H. B. 819, A BILL TO BE ENTITLED AN ACT TO INCREASE THE INTEREST PAID ON CONDEMNATION AWARDS, is referred to the Committee on Judiciary No. 1.

By Representatives Gentry, Diamont, and Hayden:

H. B. 820, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AN INVENTORY OF HISTORICALLY AND ARCHITECTURALLY SIGNIFICANT STRUCTURES IN STOKES COUNTY, is referred to the Committee on Cultural Resources.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for S. B. 165, A BILL TO BE ENTITLED AN ACT TO CREATE THE FELONY OFFENSES OF USE OF A CHILD IN A SEXUAL PERFORMANCE AND PROMOTING A SEXUAL PERFORMANCE BY A CHILD, is read the first time and is referred to the Committee on Judiciary No. 1.

CALENDAR

Action is taken on the following:

Committee Substitute for H. B. 151, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES RELATING TO PUBLIC ACCOUNTANTS.

On motion of Representative Musselwhite, the House concurs in the Senate amendments and the bill is ordered enrolled.

H. B. 428, A BILL TO BE ENTITLED AN ACT TO PERMIT ALL INCORPORATED CITIES AND TOWNS TO LEVY AUTO TAXES OF NOT MORE THAN FIVE DOLLARS.

On motion of Representative DeVane, the House concurs in the Senate amendment, which changes the title, and the bill is ordered enrolled.

H. B. 811, A BILL TO BE ENTITLED AN ACT TO EXCLUDE CERTAIN TERRITORY FROM THE PROPOSED CITY OF KANNAPOLIS IF ANNEXED BY THE CITY OF CONCORD, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Ballance, Barbee, Barnes, Beall, Beam, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Burnley, Chapin, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunter, Huskins, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Quinn, Rabon, Redding, Roberts, Robinson, Seymour, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 103.

Voting in the negative: None.

Excused absences: Representatives Beard, Bumgardner, Childress, James, Lambeth, and Slaughter — 6.

H. B. 500, A BILL TO BE ENTITLED AN ACT TO ALLOW CENTRAL PIEDMONT COMMUNITY COLLEGE TO LEASE CERTAIN PROPERTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 662, A BILL TO BE ENTITLED AN ACT TO CHANGE THE JURISDICTION OF THE ROANOKE VOYAGES CORRIDOR COMMISSION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 553, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE TAR RIVER PORT COMMISSION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 566, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF FAYETTEVILLE TO EXERCISE CERTAIN LAND ACQUISITION AND DISPOSAL PROCEDURES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 576, A BILL TO BE ENTITLED AN ACT TO REAPPORTION THE NEW BERN–CRAVEN COUNTY BOARD OF EDUCATION AND TO REDUCE ITS SIZE FROM TWELVE TO SEVEN MEMBERS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 600, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MEMBERSHIP OF THE INDUSTRIAL DEVELOPMENT COMMISSION FOR STANLY COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 601, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE STANLY COUNTY BOARD OF COMMISSIONERS MAY DESIGNATE A COMMISSIONER TO SERVE EX OFFICIO ON THE STANLY COUNTY AIRPORT AUTHORITY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 606, A BILL TO BE ENTITLED AN ACT TO ALLOW WILSON COUNTY TO LEASE HOSPITAL FACILITIES FOR LONGER THAN TEN YEARS, TO RESOLVE A CONFLICT BETWEEN TWO STATUTES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 635, A BILL TO BE ENTITLED AN ACT EXEMPTING FROM THE PROVISIONS OF ARTICLE 12, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, THE COUNTY OF EDGECOMBE AS TO LEASES OR SALES OF REAL ESTATE OWNED OR HEREAFTER OWNED BY IT FOR THE USE

AND BENEFIT OF THE EDGECOMBE COUNTY DEVELOPMENT CORPORATION OR BY SUCH CORPORATION ITSELF, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 707, A BILL TO BE ENTITLED AN ACT TO ALLOW HERTFORD COUNTY TO SELL CERTAIN INDUSTRIAL PROPERTY AT PRIVATE SALE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 739, A BILL TO BE ENTITLED AN ACT TO REPEAL FAYETTEVILLE CIVIL SERVICE COMMISSION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S. B. 183, A BILL TO BE ENTITLED AN ACT TO ALLOW FORSYTH COUNTY TO DELEGATE THE AUTHORITY TO MAKE CERTAIN RELEASES AND REFUNDS OF PROPERTY TAX, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 214, A BILL TO BE ENTITLED AN ACT TO REPEAL OBSOLETE LOCAL ACTS RELATING TO PAY OF OFFICIALS OF FRANKLIN COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

H. B. 223, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE COASTAL RESOURCES COMMISSION TO SET A FEE OF UP TO ONE HUNDRED DOLLARS FOR A CAMA MAJOR DEVELOPMENT PERMIT, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Anderson, Ballance, Barker, Barnes, Beall, Beam, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Burnley, Chapin, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, Hunt, Hunter, Huskins, Jarrell, Jones, Keesee, Kennedy, Lacey, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Miller, Murphy, Nash, Nesbitt, Owens, Payne, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Robinson, Seymour, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Womble, B. Woodard, C. Woodard, and Wright — 98.

Voting in the negative: Representatives J. Hughes and Ligon — 2.

Excused absences: Representatives Beard, Bumgardner, Childress, James, Lambeth, and Slaughter — 6.

S. B. 186, A BILL TO BE ENTITLED AN ACT TO AMEND THE FEES CHARGED BY THE NORTH CAROLINA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Allran, Anderson, Ballance, Barker, Barnes, Beall, Beam, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Burnley, Chapin, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, Hunt, Hunter, Huskins, Jarrell, Jones, Jordan, Keesee, Kennedy, Lacey, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Miller, Murphy, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Robinson, Seymour, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Womble, B. Woodard, C. Woodard, and Wright — 102.

Voting in the negative: Representative J. Hughes.

Excused absences: Representatives Beard, Bumgardner, Childress, James, Lambeth, and Slaughter — 6.

Committee Substitute for H. B. 522, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE NECESSITY OF A CITED PERSON SIGNING THE TRAFFIC CITATION, passes its second reading, by electronic vote (107-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 285, A BILL TO BE ENTITLED AN ACT PROVIDING THAT PERSONALIZED PLATES FOR COMMERCIAL VEHICLES SHALL NOT HAVE THE WORD "COMMERCIAL" ON THEM AND REGULATING THE REPLACEMENT OF REGISTRATION PLATES, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 342, A BILL TO BE ENTITLED AN ACT TO PERMIT ALTERNATIVE MARKINGS ON VEHICLES TRANSPORTING DANGEROUS ARTICLES THAT STOP AT RAILROAD CROSSINGS, passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 681, A BILL TO BE ENTITLED AN ACT TO ALLOW THE PAROLE COMMISSION TO DENY REENTRY PAROLE TO CERTAIN OFFENDERS.

Representative Wright offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (106-2), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 719, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEPARTMENT OF CORRECTION'S AUTHORITY TO PROVIDE TREATMENT AND TRAINING PROGRAMS FOR MENTALLY RETARDED PRISONERS, passes its second reading by electronic vote (106-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 415, A BILL TO BE ENTITLED AN ACT TO MAKE CLEAR THAT PERSONAL JURISDICTION MAY BE OBTAINED BY SERVICE BY PUBLICATION, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 649, A BILL TO BE ENTITLED AN ACT TO REVISE THE PARTS OF CHAPTER 162A OF THE GENERAL STATUTES RELATING TO METROPOLITAN SEWERAGE DISTRICTS.

Representative Nesbitt calls the previous question on the passage of the bill and the call is sustained by electronic vote (110-2).

The bill passes its second reading by electronic vote (102-9).

Representative Hackney objects to the third reading. The bill remains on the Calendar.

On motion of Representative Hunt, seconded by Representative Tyson, the House adjourns to reconvene April 15, 1983 at 10:00 a.m.

SIXTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Friday, April 15, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Womble.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of April 14 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Bowen, Brawley, Bumgardner, Edwards, Fletcher, Helms, James, Jones, Lambeth, Mavretic, Pool, and Seymour for today.

On motion of Representative Hunt, the rules are suspended and all House bills filed today will be read the first time and referred to committee on April 19, 1983.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Pulley for the Committee on Judiciary No. 4:

S. B. 49, A BILL TO BE ENTITLED AN ACT RELATING TO THE INITIAL APPOINTMENT OF NOTARIES PUBLIC, with an unfavorable report as to bill, favorable as to House committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for April 19, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Lancaster for the Committee on Judiciary No. 3:

H. B. 236, A BILL TO BE ENTITLED AN ACT REQUIRING DEFERRAL OF IMPRISONMENT OF PREGNANT DEFENDANTS CONVICTED OF NONVIOLENT CRIMES, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for April 19, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Evans for the Committee on Banks and Thrift Institutions.

S. B. 263, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 53 OF THE GENERAL STATUTES OF NORTH CAROLINA RELATING TO BANKS, with an unfavorable report as to bill, favorable as to House committee substitute bill.

The substitute bill is palced on the Calendar for April 19, 1983. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Edwards, Gist, Hauser, and Jeralds:

H. B. 821, A BILL TO BE ENTITLED AN ACT TO INCREASE THE INDIVIDUAL INCOME TAX RATES BY ONE PERCENT, is referred to the Committee on Finance.

By Representative Brennan:

H. B. 822, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM FINE FOR LITTERING IN THE CITY OF CHARLOTTE, is referred to the Committee on Local Government No. 2.

By Representative James:

H. B. 823, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM CERTAIN ROADS IN CAMDEN COUNTY, is referred to the Committee on Wildlife Resources.

By Representative James:

H. J. R. 824, A JOINT RESOLUTION REQUESTING THE NORTH CAROLINA COURTS COMMISSION TO STUDY THE CURRENT LAW AND PROCEDURES FOR APPOINTMENT OF MAGISTRATES AND TO REPORT ITS RECOMMENDATIONS TO THE 1984 SESSION OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules and Operation of the House.

By Representative Murphy:

H. B. 825, A BILL TO BE ENTITLED AN ACT TO ADD DUPLIN COUNTY TO THE LIST OF COUNTIES THAT MAY USE ATTACHMENT AND GARNISHMENT TO COLLECT FEES FOR AMBULANCE SERVICES, is referred to the Committee on Local Government No. 2.

By Representatives Colton, N. J. Crawford, Greenwood, and Nesbitt:

H. B. 826, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BUNCOMBE COUNTY TO LEVY ADDITIONAL ONE PERCENT SALES AND USE TAXES FOR FIVE YEARS, WITH THE PROCEEDS TO BE USED FOR PUBLIC SCHOOLS IN BUNCOMBE COUNTY, is referred to the Committee on Finance.

By Representative Auman:

H. B. 827, A BILL TO BE ENTITLED AN ACT TO RAISE THE COMPENSATION OF THE MOORE COUNTY BOARD OF EDUCATION, is referred to the Committee on Local Government No. 2.

By Representatives Greenwood, Colton, N. J. Crawford, and Nesbitt:

H. B. 828, A BILL TO BE ENTITLED AN ACT TO LIMIT THE APPLICABILITY OF A PROPOSED SCHOOL SUPPLEMENT TAX IN TRANSYLVANIA COUNTY, is referred to the Committee on Local Government No. 2.

By Representatives Helms, Brennan, and Easterling:

H. B. 829, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE RESTORATION OF THE HUGH TORANCE HOUSE AND STORE IN MECKLENBURG COUNTY, NORTH CAROLINA, is referred to the Committee on Corrections.

By Representatives Hackney, Beam, Brannan, Childress, Gentry, Gist, Grimsley, Hauser, Hunter, Jeralds, Kennedy, Lacey, Lancaster, Locks, McDowell, Payne, Tennille, and Womble:

H. B. 830, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A COMMUNITY PENALTIES PROGRAM, is referred to the Committee on Corrections.

By Representatives Hackney, Beam, Brannan, Childress, Gillam, Gist, Grimsley, Hauser, Hunter, Jeralds, Kennedy, Lacey, Locks, McDowell, Payne, Tennille, and Womble:

H. B. 831, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PRESUMPTION IN FAVOR OF COMMUNITY PENALTIES FOR CERTAIN FELONS, is referred to the Committee on Corrections.

By Representatives Hackney, Beam, Childress, Gillam, Gist, Grimsley, Hauser, Hunter, Jeralds, Kennedy, Lacey, Locks, McDowell, Payne, Tennille, and Womble:

H. B. 832, A BILL TO BE ENTITLED AN ACT TO ACCELERATE PAROLE OF CERTAIN INMATES WHEN THE PRISON POPULATION NEARS SEVENTEEN THOUSAND, is referred to the Committee on Corrections.

By Representatives Hackney, Beam, Brannan, Childress, Gillam, Gist, Grimsley, Hauser, Hunter, Jeralds, Kennedy, Lacey, Lancaster, Locks, McDowell, Payne, Tennille, and Womble:

H. B. 833, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN INTENSIVE PROBATION PROGRAM IN THE DIVISION OF ADULT PROBATION AND PAROLE, is referred to the Committee on Corrections.

By Representatives Hackney, Beam, Brannan, Childress, Gillam, Gist, Grimsley, Hauser, Hunter, Jeralds, Kennedy, Lacey, Lancaster, Locks, McDowell, Payne, Tennille, and Womble:

H. B. 834, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CORRECTION FOR INTENSIVE PROBATION AND PAROLE OFFICERS, is referred to the Committee on Corrections.

By Representatives Hackney, Beam, Childress, Gist, Grimsley, Hauser, Hunter, Jeralds, Kennedy, Lacey, Lancaster, Locks, McDowell, Payne, Tennille, and Womble:

H. B. 835, A BILL TO BE ENTITLED AN ACT TO MAKE PRESENTENCE REPORTS MANDATORY IN FELONY CASES, is referred to the Committee on Corrections.

By Representatives Hackney, Beam, Brannan, Childress, Gillam, Gist, Grimsley, Hauser, Hunter, Jeralds, Kennedy, Lancaster, Locks, McDowell, Payne, Tennille, and Womble:

H. B. 836, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CORRECTION FOR ADDITIONAL ADULT PROBATION AND PAROLE OFFICERS, is referred to the Committee on Corrections.

By Representatives Hackney, Childress, Gillam, Gist, Grimsley, Hauser, Hunter, Jeralds, Kennedy, Lacey, Locks, McDowell, Payne, and Womble:

H. B. 837, A BILL TO BE ENTITLED AN ACT TO PLACE A MORATORIUM ON NEW PRISON CONSTRUCTION WHILE ALTERNATIVE PENALTIES ARE CONSIDERED, is referred to the Committee on Corrections.

By Representatives Hackney, Beam, Brannan, Childress, Gillam, Gist, Grimsley, Hauser, Hunter, Jeralds, Kennedy, Lacey, Locks, McDowell, Payne, Tennille, and Womble:

H. B. 838, A BILL TO BE ENTITLED AN ACT TO ADD NONVIOLENT OFFENDERS IN THE TWENTY-ONE TO TWENTY-FOUR AGE GROUP TO THE COMMITTED YOUTHFUL OFFENDER LAW, is referred to the Committee on Corrections.

By Representatives Hackney, Beam, Childress, Gillam, Gist, Grimsley, Hauser, Hunter, Jeralds, Kennedy, Lacey, Lancaster, Locks, McDowell, Payne, Tennille, and Womble:

H. B. 839, A BILL TO BE ENTITLED AN ACT TO PROMOTE FAIRER PAROLE PROCEDURES FOR PRE-FAIR SENTENCING ACT PRISONERS, is referred to the Committee on Corrections.

By Representatives Barker, Anderson, and Lilley:

H. B. 840, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A. D. WARD TO CONVEY CERTAIN LANDS TO THE CITY OF NEW BERN, is referred to the Committee on Local Government No. 1.

By Representative Church:

H. B. 841, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE CITY OF HENDERSON FOR THE INSTALLATION OF A NEW TRAFFIC CONTROL SYSTEM ON CHESTNUT STREET, is referred to the Committee on Appropriations.

By Representatives Gillam, Beam, and Mauney:

H. B. 842, A BILL TO BE ENTITLED AN ACT TO ELIMINATE JUROR INCONVENIENCE BY ALLOWING ARRAIGNMENT TO OCCUR WHEN THE PROSPECTIVE JURORS ARE IN THE COURTROOM, is referred to the Committee on Judiciary No. 4.

By Representatives Anderson, Barker, and Lilley:

H. B. 843, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF NATURAL RESOURCES AND COMMUNITY DEVELOPMENT FOR A FOREST SERVICE HEADQUARTERS IN CRAVEN COUNTY, is referred to the Committee on Appropriations.

By Representative Hayden:

H. B. 844, A BILL TO BE ENTITLED AN ACT TO EXTEND THE PROVISION PERMITTING TRANSFER OF MEMBERSHIP FROM THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM TO THE LAW ENFORCEMENT OFFICERS' BENEFIT AND RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement.

By Representative Lee (by request):

H. B. 845, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING DEER WITH DOGS IN PART OF RICHMOND COUNTY, is referred to the Committee on Wildlife Resources.

By Representative Lee:

H. B. 846, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE MATCHING FUNDS FOR THE REHABILITATION OF THE OLD SEABOARD COASTLINE PASSENGER DEPOT IN HAMLET, is referred to the Committee on Cultural Resources.

By Representative Rabon:

H. B. 847, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF HOLDEN BEACH TO ASSESS FOR BEACH ACCESSWAYS, is referred to the Committee on Local Government No. 2.

By Representative Rabon:

H. B. 848, A BILL TO BE ENTITLED AN ACT TO CONVERT TO FEE SIMPLE CERTAIN NINETY-NINE YEAR LEASES OF THE TOWN OF SMITHVILLE OR THE CITY OF SOUTHPORT, is referred to the Committee on Local Government No. 2.

By Representatives Mavretic, Barbee, and Matthews:

H. B. 849, A BILL TO BE ENTITLED AN ACT TO PERMIT EDGECOMBE COUNTY TO SELL IMPOUNDED DOGS AND CATS TO LICENSED ANIMAL DEALERS AND REGISTERED INSTITUTIONS, is referred to the Committee on Local Government No. 1.

By Representative Colton:

H. B. 850, A BILL TO BE ENTITLED AN ACT TO ALLOW SALE OF HISTORIC PROPERTIES BY CITIES AND COUNTIES, is referred to the Committee on Cultural Resources.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H. B. 512, A BILL TO BE ENTITLED AN ACT RELATING TO USE OF LISTS OF LICENSED DRIVERS FOR JURY DUTY, AND THE NUMBER OF NAMES ON THE JURY LIST, is returned for concurrence in Senate amendment and is placed on the Calendar for April 19, 1983.

S. B. 261, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON TO CLARIFY THE AUTHORITY OF CITY COUNCIL TO CONTRACT WITH NON-CITY AGENCIES, is read the first time and is referred to the Committee on Local Government No. 2.

S. B. 282, A BILL TO BE ENTITLED AN ACT RELATING TO MOTOR VEHICLE TRAFFIC AT THE GREENSBORO–HIGH POINT AIRPORT AND FOR OTHER PURPOSES, is read the first time and is referred to the Committee on Local Government No. 2.

S. B. 285, A BILL TO BE ENTITLED AN ACT RELATING TO REMOVAL OF UNAUTHORIZED VEHICLES FROM PRIVATE LOTS IN FORSYTH COUNTY, is read the first time and is referred to the Committee on Local Government No. 2.

S. B. 286, A BILL TO BE ENTITLED AN ACT TO EXEMPT GASTON COUNTY FROM CERTAIN PROCEDURAL REQUIREMENTS ON DISPOSAL OF LAND AS AN INDUSTRIAL PARK, is read the first time and is referred to the Committee on Local Government No. 2.

S. B. 290, A BILL TO BE ENTITLED AN ACT REGARDING THE AUTHORITY OF THE CITY OF WILMINGTON TO REQUIRE A CERTIFICATE OF APPROPRIATENESS FOR EXTERIOR WORK TO STRUCTURES IN AN AREA DESIGNATED AS AN HISTORIC DISTRICT OVERLAY, is read the first time and is referred to the Committee on Local Government No. 2.

S. B. 75, A BILL TO BE ENTITLED AN ACT REGARDING INVOLUNTARY COMMITMENT OF PERSONS FOUND INCAPABLE OF PROCEEDING OR NOT GUILTY BY REASON OF INSANITY, is read the first time and is referred to the Committee on Judiciary No. 3.

S. B. 252, A BILL TO BE ENTITLED AN ACT TO AMEND THE COUNTY SPECIAL ASSESSMENTS LAW (G. S. CHAPTER 153A, ARTICLE 9) WITH RESPECT TO SMALL WATERSHEDS, DRAINAGE PROGRAMS, AND MAINTENANCE CHARGES, TO AUTHORIZE COUNTY SPENDING AND TAXES FOR DRAINAGE PROJECTS, AND TO MAKE RELATED CHANGES, is read the first time and is referred to the Committee on Finance.

CALENDAR

Action is taken on the following:

H. B. 811, A BILL TO BE ENTITLED AN ACT TO EXCLUDE CERTAIN TERRITORY FROM THE PROPOSED CITY OF KANNAPOLIS IF ANNEXED BY THE CITY OF CONCORD, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barker, Beall, Beam, Berry, Blue, Brannan, Brown, Chapin, Childress, Church, Cochrane, Colton, Cook, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Gentry, Gillam, Greenwood, Grimsley, Hasty, Hauser, Hayden, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, Jarrell, Jeralds, Keesee, Kennedy, Lacey, Lancaster, Lee, Ligon, Lilley, Lutz, McAlister, McDowell, Matthews, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Womble, B. Woodard, C. Woodard, and Wright — 87.

Voting in the negative: None.

Excused absences: Representatives Bowen, Brawley, Bumgardner, Fletcher, Helms, James, Jones, Lambeth, Mavretic, and Pool — 10.

H. B. 617, A BILL TO BE ENTITLED AN ACT TO IMPOSE A SEPARATE PRIVILEGE LICENSE TAX ON PERSONS ENGAGED IN AN ALARM SYSTEM BUSINESS LICENSED UNDER THE PRIVATE PROTECTIVE SERVICES ACT, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Berry, Blue, Brannan, Brennan, Brown, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Foster, Fussell, Gentry, Gillam, Greenwood, Grimsley, Hasty, Hauser, Hayden, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, Jeralds, Jordan, Keesee, Kennedy, Lacey, Lancaster, Lee, Ligon, Lilley, Lutz, McAlister, McDowell, Matthews, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Womble, B. Woodard, C. Woodard, and Wright — 94.

Voting in the negative: Representatives DeVane, Hackney, and Jarrell — 3.

Excused absences: Representatives Bowen, Brawley, Bumgardner, Fletcher, Helms, James, Jones, Lambeth, Mavretic, and Pool — 10.

H. B. 458, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO REQUIRE THAT DISTRICT ATTORNEYS AND THE ATTORNEY GENERAL BE LICENSED TO PRACTICE LAW.

On motion of Representative Bob Etheridge, consideration of the bill is postponed until April 19, 1983.

H. B. 649, A BILL TO BE ENTITLED AN ACT TO REVISE THE PARTS OF CHAPTER 162A OF THE GENERAL STATUTES RELATING TO METROPOLITAN SEWERAGE DISTRICTS.

Representative Nesbitt offers Amendment No. 1 which is adopted by electronic vote (99-0).

Representative Adams offers Amendment No. 2 which is adopted by electronic vote (99-1).

The bill, as amended, passes its third reading, by electronic vote (99-2), and is ordered engrossed and sent to the Senate.

Committee Substitute for H. B. 490, A BILL TO BE ENTITLED AN ACT TO PERMIT PAYMENT OF DIVIDENDS BASED ON THE LOSS EXPERIENCE OF INDIVIDUAL POLICYHOLDERS IN WORKERS' COMPENSATION INSURANCE, passes its second reading, by electronic vote (96-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 683, A BILL TO BE ENTITLED AN ACT TO REWRITE G. S. 20-217 PERTAINING TO PASSING STOPPED SCHOOL BUSES AND RECEIVING OR DISCHARGING PASSENGERS FROM SCHOOL BUSES STOPPED ON DIVIDED ROADWAYS, passes its second reading by electronic vote (96-2).

On motion of Representative Slaughter, the third reading of the bill is postponed until April 19, 1983.

H. B. 477, A BILL TO BE ENTITLED AND ACT TO INCREASE THE FINE FOR ILLEGALLY PARKING IN A PROPERLY DESIGNATED HANDICAPPED PARKING SPACE.

Representative Bruce Ethridge offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar for April 19, 1983.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Brannan, Brennan, Brown, Burnley, Chapin, Childress, Church, Coble, Cochrane. Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Foster, Fussell, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holt, Hudson, Hunt, Hunter, Huskins, Jarrell, Jeralds, Jordan, Keesee, Kennedy, Lacey, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Robinson, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyson, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 94.

Voting in the negative: None.

Excused absences: Representatives Bowen, Brawley, Bumgardner, Edwards, Fletcher, Helms, James, Jones, Lambeth, Mavretic, Pool, and Seymour — 12.

On motion of Representative Hunt, seconded by Representative Beall, the House adjourns to reconvene Monday, April 18, 1983 at 6:30 p.m.

SIXTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Monday, April 18, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Lilley.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of April 15 has been examined and found correct. Upon his motion the Journal is approved as written.

Leaves of absence are granted Representatives Burnley, J. W. Crawford, Gillam, and C. Woodard for today.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H. B. 432, A BILL TO BE ENTITLED AN ACT TO CLARIFY A MARRIED WOMAN'S DOMICILE FOR TAX PURPOSES, is returned for concurrence in Senate amendment and is placed on the Calendar for April 19, 1983.

S. B. 303, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF SALEM IN BURKE COUNTY, is read the first time and is referred to the Committee on Local Government No. 2.

S. B. 310, A BILL TO BE ENTITLED AN ACT TO REVISE THE CHARTER OF THE TOWN OF JACKSON, is read the first time and is referred to the Committee on Local Government No. 2.

S. B. 322, A BILL TO BE ENTITLED AN ACT TO REWRITE THE CHARTER OF THE TOWN OF STONEVILLE, is read the first time and is referred to the Committee on Local Government No. 1.

CALENDAR

Action is taken on the following:

H. B. 617, A BILL TO BE ENTITLED AN ACT TO IMPOSE A SEPARATE PRIVILEGE LICENSE TAX ON PERSONS ENGAGED IN AN ALARM SYSTEM BUSINESS LICENSED UNDER THE PRIVATE PROTECTIVE SERVICES ACT, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Allran, Auman, Barbee, Barker, Barnes, Beall, Beam, Berry, Blue, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Coble, Cochrane, Cook, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bruce Ethridge, Fenner, Fletcher, Foster, Fussell, Gentry, Gist, Grimsley, Hasty, Hauser, Hayden, Hightower, Hudson, C. Hughes, J. Hughes, Hunt, Huskins, James, Jarrell, Jones, Keesee, Lacey, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic Musselwhite, Nash, Owens, Payne, Pool, Poovey, Pulley, Rabon, Redding, Roberts, Robinson, Seymour, Slaughter, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Warren, Womble, B. Woodard, and Wright — 85.

Voting in the negative: Representative Hackney.

Excused absences: Representatives Burnley, J. W. Crawford, Gillam, and C. Woodard — 4.

H. B. 551, A BILL TO BE ENTITLED AN ACT AMENDING THE COUNTY HOSPITAL ACT TO AUTHORIZE A COUNTY HOSPITAL TO ESTABLISH AND OPERATE BRANCH FACILITIES IN OTHER COUNTIES.

On motion of Representative James, Committee Amendment No. 1 is adopted.

On motion of Representative James, consideration of the bill is postponed until April 20, 1983.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. J. R. 809, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE SENATE AND HOUSE OF REPRESENTATIVES AT 7:00 P.M., MONDAY, APRIL 18, 1983, FOR THE CONDUCT OF BUSINESS.

H. B. 146, AN ACT TO CLARIFY AGE LIMITS SET BY VARIOUS CRIMINAL STATUTES.

H. B. 439, AN ACT TO PROVIDE THAT AS TO THE CITY OF GASTONIA, MEMBERS OF THE CITY COUNCIL EXCUSED FROM VOTING SHALL NOT BE INCLUDED IN DETERMINING THE RESULTS OF A VOTE ON A ZONING PROTEST PETITION.

H. B. 442, AN ACT TO CLARIFY THE BOARD OF LAW EXAMINERS' AUTHORITY REGARDING FINGERPRINTS.

H. B. 483, AN ACT TO ALLOW THE LINCOLN COUNTY BOARD OF EDUCATION TO PAY ITS TEN-MONTH EMPLOYEES ON OR BEFORE THE FIFTEENTH DAY OF EACH MONTH.

H. B. 501, AN ACT TO CONFORM THE ELECTION REQUIREMENTS FOR THE LINCOLN COUNTY BOARD OF EDUCATION TO THE GENERAL ELECTION LAW.

H. B. 532, AN ACT TO MAKE AMENDMENTS TO THE HIGH POINT CAREER SERVICE LAW.

S. B. 94, AN ACT TO PLACE A MAGISTRATE ON THE COURTS COMMISSION.

S. B. 183, AN ACT TO ALLOW FORSYTH COUNTY TO DELEGATE THE AUTHORITY TO MAKE CERTAIN RELEASES AND REFUNDS OF PROPERTY TAX.

S. B. 186, AN ACT TO AMEND THE FEES CHARGED BY THE NORTH CAROLINA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

S. B. 214, AN ACT TO REPEAL OBSOLETE LOCAL ACTS RELATING TO PAY OF OFFICIALS OF FRANKLIN COUNTY.

H. B. 151, AN ACT TO AMEND THE STATUTES RELATING TO PUBLIC ACCOUNTANTS.

H. B. 348, AN ACT TO ADD NEW HANOVER AND DURHAM COUNTIES TO THE PROVISIONS OF THE GENERAL STATUTES RELATING TO ATTACHMENT OR GARNISHMENT AND LIEN FOR AMBULANCE SERVICE IN CERTAIN COUNTIES.

H. B. 378, AN ACT VALIDATING CERTAIN ASSESSMENTS OF THE CITY OF ELIZABETH CITY.

H. B. 428, AN ACT TO PERMIT ALL INCORPORATED CITIES AND TOWNS OTHER THAN THE CITY OF DURHAM TO LEVY AUTO TAXES OF NOT MORE THAN FIVE DOLLARS.

H. B. 462, AN ACT TO ALLOW MECKLENBURG COUNTY TO INCLUDE STORM DRAINAGE REPAIRS AND IMPROVEMENTS AND STREET LIGHTING AS SPECIAL ASSESSMENTS.

H. B. 482, AN ACT TO COMPLY WITH THE HIGHWAY FEDERAL-AID REQUIREMENTS FOR PROOF OF PAYMENT OF THE FEDERAL TAX BEFORE ISSUING A STATE TRUCK LICENSE.

H. B. 629, AN ACT TO INCORPORATE THE CITY OF KANNAPOLIS SUBJECT TO A VOTE OF THE PEOPLE AND TO CREATE A COMMISSION TO DEVELOP ITS CHARTER.

The Speaker appoints Representatives Anderson, Murphy, and Hunter to escort the special guests into the House Chamber.

The Speaker orders a message sent to the Senate informing that Honorable Body that the House of Representatives stands ready to receive them in Joint Session at the hour appointed.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
April 18, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body that pursuant to H. J. R. 809, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES AT 7:00 P.M., MONDAY, APRIL 18, 1983, FOR THE CONDUCT OF BUSINESS, the Senate stands ready to repair to the Hall of the House, there to sit in Joint Session with your Honorable Body.

Respectfully,
S/ SYLVIA M. FINK
Principal Clerk

JOINT SESSION

Pursuant to resolution heretofore adopted, and exchange of messages, the Sergeant-at-Arms of the House of Representatives announces the arrival of the Chief Justice, the Honorable Joseph Branch and the Senate at the door of the House. The Speaker directs the admittance and seating of Justice Branch and the members of the Senate and its officers. The President of the Senate, the Honorable James C. Green, is seated to the right of the Speaker and is presented the gavel.

The Joint Session is called to order by the President.

The Sergeant-at-Arms of the House of Representatives announces the arrival at the door of the House the Honorable William Friday, President, University of North Carolina; Christopher Fordham, Chancellor, University of North Carolina; Bruce Poulton, Chancellor, North Carolina State University; the North Carolina State University National Collegiate Athletic Association championship basketball team for the year 1983; and the University of North Carolina National Collegiate Athletic Association championship basketball team for the year 1982.

The President of the Senate directs the admittance of the special guests.

The President of the Senate relinquishes the gavel to Speaker Ramsey for consideration of H. J. R. 891 by the members of the House of Representatives.

Speaker Ramsey recognizes Representative Adams.

On motion of Representative Adams, the rules are suspended, and the following is introduced and read the first time:

By Representative Adams and the entire membership of the House:

H. J. R. 891, A JOINT RESOLUTION HONORING THE WINNING TRADITION OF COLLEGE BASKETBALL IN THE STATE OF NORTH CAROLINA, CULMINATING IN BACK TO BACK N.C.A.A. BASKETBALL CHAMPIONSHIPS

BY THE UNIVERSITY OF NORTH CAROLINA TARHEELS AND THE NORTH CAROLINA STATE UNIVERSITY WOLFPACK.

On motion of Representative Adams, the rules are suspended and the resolution is placed before the House for immediate consideration.

The resolution passses its second reading by electronic vote (107-0).

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

The Speaker of the House relinquishes the gavel to the President of the Senate.

The President receives from the House by Special Message H. J. R. 891, A JOINT RESOLUTION HONORING THE WINNING TRADITION OF COLLEGE BASKETBALL IN THE STATE OF NORTH CAROLINA, CULMINATING IN BACK TO BACK N.C.A.A. BASKETBALL CHAMPIONSHIPS BY THE UNIVERSITY OF NORTH CAROLINA TARHEELS AND THE NORTH CAROLINA STATE UNIVERSITY WOLFPACK, and orders the Senate Reading Clerk to read the resolution, thus constituting its first reading in the Senate.

On motion of Senator Lawing, the rules are suspended and the resolution is placed before the Senate for immediate consideration.

The resolution passes its second reading.

The resolution passes its third reading and is ordered enrolled.

ENROLLED BILL

The following is properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. J. R. 891, A JOINT RESOLUTION HONORING THE WINNING TRADITION OF COLLEGE BASKETBALL IN THE STATE OF NORTH CAROLINA, CULMINATING IN BACK TO BACK N.C.A.A. BASKETBALL CHAMPIONSHIPS BY THE UNIVERSITY OF NORTH CAROLINA TARHEELS AND THE NORTH CAROLINA STATE UNIVERSITY WOLFPACK.

The President of the Senate recognizes the Honorable William Friday who approaches the Well of the House. Dr. Friday expresses the appreciatiom of the University for the national honor and recognition that the two basketball teams have brought to North Carolina and the universities.

The Speaker of the House recognizes Chancellor Bruce Poulton who approaches the Well of the House and presents a plaque to the legislature. He makes brief remarks in appreciation and gratitude of the honor and recognition that the North Carolina State University championship basketball team for the year 1983 has brought to the school and to the State.

The President of the Senate recognizes Chancellor Christopher Fordham who approaches the Well of the House. He gives a brief statement in gratitude of the honor and recognition that the University of North Carolina championship basketball team for the year 1982 has brought to the school and the State.

The Speaker of the House recognizes Jim Valvano, Coach of the North Carolina State University championship basketball team, who approaches the Well of the House. Mr. Valvano expresses appreciation of the team's accomplishment. He thanks the legislature for honoring the teams and the State for its support in the athletic programs in the schools.

The President of the Senate recognizes John Swofford, Athletic Director, University of North Carolina, who approaches the Well of the House. He makes brief remarks in appreciation of the team's efforts and accomplishments.

The Speaker of the House recognizes Sidney Lowe, Captain of the North Carolina State championship basketball team, who approaches the Well of the House. On behalf of the team he expresses appreciation for the support of everyone. He expresses thanks and gratitude for the opportunity of attending North Carolina State University and the participation in the athletic program.

The President of the Senate recognizes Jim Braddock, Captain of the University of North Carolina basketball championship team, who approaches the Well of the House. He presents a plaque to the North Carolina Legislature and expresses thanks and appreciation for the support given the basketball program.

The Speaker of the House and the President of the Senate present a Certificate of Honor to the following:

North Carolina State University team members Thurl Bailey, Alvin Battle, Lorenzo Charles, Walt Densmore, Tommy DiNardo, Terry Gannon, Quinton Leonard, Sidney Lowe, George McClain, Cozell McQueen, Ernie Myers, Walter Lee Proctor, Harold Thompson, Mike Warren, and Dereck Whittenburg;

University of North Carolina team members Jeb Barlow, Jimmy Black, Jim Braddock, John Brownlee, Chris Brust, Matt Doherty, Cecil Exum, Michael Jordan, Timo Makkonen, Warren Martin, Sam Perkins, Buzz Peterson, Lynwood Robinson, Dean Shaffer, and James Worthy.

The President of the Senate presents his Excellency James B. Hunt, Jr., Governor of North Carolina, to the joint assembly. The Governor approaches the Well of the House. On behalf of the citizens of the State he expresses the extreme appreciation and admiration for all the hard work and dedication by the North Carolina State University National Collegiate Athletic Association Championship basketball team for the year 1983 and the University of North Carolina National Collegiate Athletic Association Championship basketball team for the year 1982 and the back-to-back national honor and recognition that they had brought to the schools and to the State of North Carolina.

On motion of Senator Craig Lawing, the Joint Session is dissolved and the Senate returns to its Chamber.

The House resumes its business.

On motion of Representative Hunt, seconded by Representative Quinn, the House adjourns to reconvene April 19, 1983 at 1:30 p.m.

SEVENTIETH DAY

HOUSE OF REPRESENTATIVES
Tuesday, April 19, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend Parker Williams, First Presbyterian Church, Lenoir, North Carolina.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of April 18 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives J. W. Crawford, Gillam, and C. Woodard for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Brennan for the Committee on Human Resources:

H. B. 144, A BILL TO BE ENTITLED AN ACT TO REMOVE MENTAL RETARDATION FROM THE CONDITIONS PROHIBITING A PERSON FROM WORK IN A DAY-CARE CENTER, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for April 21, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 593, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DAY-CARE LICENSING INSPECTIONS, with a favorable report.

By Representative Foster for the Committee on Education:

H. B. 608, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ADDITIONAL MEMBER ON THE EDGECOMBE COUNTY BOARD OF EDUCATION AND TO PROVIDE FOR THE NOMINATION AND ELECTION OF MEMBERS OF THE EDGECOMBE COUNTY BOARD OF EDUCATION, with a favorable report.

H. B. 611, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COMPENSATION OF THE CUMBERLAND COUNTY BOARD OF EDUCATION WILL BE SET BY GENERAL LAW, with a favorable report.

By Representative Quinn for the Committee on Finance:

H. B. 665, A BILL TO BE ENTITLED AN ACT TO AMEND THE CORPORATION INCOME TAX ACT TO PROVIDE FOR SOLAR TAX CREDITS FOR CORPORATIONS ENGAGED IN SERVICE AS WELL AS MANUFACTURING BUSINESSES, with a favorable report, as amended.

H. B. 666, A BILL TO BE ENTITLED AN ACT TO AMEND THE INDIVIDUAL INCOME TAX ACT TO PROVIDE FOR SOLAR TAX CREDITS FOR INDIVIDUALS' SERVICE AS WELL AS MANUFACTURING BUSINESSES, with a favorable report, as amended.

S. B. 55, A BILL TO BE ENTITLED AN ACT TO SET FEE LIMITS FOR THE BOARD OF NURSING HOME ADMINISTRATORS, with a favorable report.

S. B. 169, A BILL TO BE ENTITLED AN ACT TO REVISE PROCEDURES OF THE BOARD OF PODIATRY EXAMINERS, with a favorable report.

By Representative Wright for the Committee on Judiciary No. 2:

H. B. 651, A BILL TO BE ENTITLED AN ACT TO AMEND THE ADOPTION STATUTES AND RELATED LAWS, with a favorable report.

H. B. 652, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 14-320 CONCERNING THE SEPARATION OF CHILDREN FROM THEIR PARENTS, with a favorable report, as amended.

H. B. 653, A BILL TO BE ENTITLED AN ACT TO CLARIFY A PUTATIVE FATHER'S RIGHT TO NOTICE OF AN ADOPTION, with a favorable report.

H. B. 680, A BILL TO BE ENTITLED AN ACT TO REQUIRE COUNTY DIRECTORS OF SOCIAL SERVICES TO RESPOND TO REQUESTS FOR CONSENT TO SEPARATE AN INFANT FROM ITS PARENT, with a favorable report.

By Representative Pulley for the Committee on Judiciary No. 4:

H. B. 711, A BILL TO BE ENTITLED AN ACT TO SPECIFICALLY INCLUDE MONEY USED IN DRUG DEALING AS PROPERTY SUBJECT TO FORFEITURE UNDER THE CONTROLLED SUBSTANCES ACT, with a favorable report, as amended.

H. B. 713, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO VARIOUS STATUTES AFFECTING CRIMINAL LAW, with a favorable report, as amended.

By Representative Gentry for the Committee on Election Laws:

H. B. 157, A BILL TO BE ENTITLED AN ACT RELATING TO THE CERTIFICATION OF ELECTIONS WHICH ARE CONTESTED, with a favorable report, as amended.

S. B. 110, A BILL TO BE ENTITLED AN ACT TO PERMIT THE STATE BOARD OF ELECTIONS TO ADOPT THE FINDINGS OF A COUNTY BOARD OF ELECTIONS AND ORDER A NEW ELECTION WITHOUT DUPLICATING THE PUBLIC HEARING HELD BY THE COUNTY BOARD, with a favorable report.

S. B. 126, A BILL TO BE ENTITLED AN ACT TO AMEND THE PRESIDENTIAL PREFERENCE PRIMARY ACT TO ALLOW CHOOSING OF AN ALLOCATION FORMULA WHICH REFLECTS THE DIVISION OF VOTES BUT DOES NOT REQUIRE EXACT PROPORTIONAL REPRESENTATION, with a favorable report.

S. B. 173, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT COUNTIES WHICH MAINTAIN VOTER RECORDS ON ELECTRONIC DATA PROCESSING EQUIPMENT PROVIDE DISCS OR TAPES TO STATE PARTIES ON THE SAME SCHEDULE AS LISTS TO COUNTY PARTIES, with a favorable report.

By Representative Miller for the Committee on Judiciary No. 1:

H. B. 69, A BILL TO BE ENTITLED AN ACT TO PERMIT A SUCCESSFUL APPELLANT OF AN AGENCY DECISION TO RECOVER ATTORNEY'S FEES AND COSTS FROM THE AGENCY IN CERTAIN CIRCUMSTANCES, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title, and recommendation that the substitute bill be re-referred to the Committeee on Appropriations.

The substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

H. B. 345, A BILL TO BE ENTITLED AN ACT TO ALLOW WATER AND SEWER AUTHORITIES TO DEFEND OFFICERS AND EMPLOYEES AND PAY ANY OR ALL OF A CLAIM MADE OR CIVIL JUDGMENT ENTERED AGAINST ANY OF

THEM, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for April 21, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Colton for the Committee on Cultural Resources:

H. B. 464, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE INTERIOR REHABILITATION OF THE OLD BURKE COUNTY COURTHOUSE IN MORGANTON, NORTH CAROLINA, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H. B. 465, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE REHABILITATION OF THE STATESVILLE CITY HALL IN STATESVILLE, NORTH CAROLINA, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H. B. 470, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO HIDDENITE CENTER PROJECT, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H. B. 508, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONTINUED RESTORATION OF THE OLD CABARRUS COUNTY COURTHOUSE, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

By Representative Wicker for the Committee on Law Enforcement:

H. B. 585, A BILL TO BE ENTITLED AN ACT REGARDING JURISDICTION OF THE PINEHURST POLICE, with a favorable report.

On motion of Representative McDowell, H. B. 829, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE RESTORATION OF THE HUGH TORANCE HOUSE AND STORE IN MECKLENBURG COUNTY, NORTH CAROLINA, is withdrawn from the Committee on Corrections and re-referred to the Committee on Cultural Resources.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Enloe:

H. B. 851, A BILL TO BE ENTITLED AN ACT CLARIFYING PROCEDURES OF LOCAL INSPECTION DEPARTMENTS AND AUTHORIZING COMPENSATION OF LOCAL PLANNING AGENCIES, is referred to the Committee on Local Government No. 2.

By Representatives Payne and Rhodes:

H. B. 852, A BILL TO BE ENTITLED AN ACT TO MAKE THE SAME SCHOOL CONSOLIDATION AND DISCONTINUANCE OF SCHOOLS PROCEDURES APPLICABLE TO ALL PUBLIC SCHOOLS, is referred to the Committee on Education.

By Representative Payne:

H. B. 853, A BILL TO BE ENTITLED AN ACT TO PROVIDE ECONOMIC GROWTH THROUGH TOURISM IN NEW HANOVER COUNTY, is referred to the Committee on Local Government No. 1.

By Representative Payne:

H. B. 854, A BILL TO BE ENTITLED AN ACT TO AMEND THE WILMINGTON CITY CHARTER, is referred to the Committee on Local Government No. 1.

By Representative Payne:

H. B. 855, A BILL TO BE ENTITLED AN ACT TO SET THE RATES CHARGED BY LENDERS FOR CREDIT INSURANCE AT A REASONABLE LEVEL, is referred to the Committee on Banks and Thrift Institutions.

By Representative Payne:

H. B. 856, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF "RULE" FOR PURPOSES OF ADMINISTRATIVE PROCEDURE, is referred to the Committee on Judiciary No. 1.

By Representatives Payne and Rhodes:

H. B. 857, A BILL TO BE ENTITLED AN ACT TO DEREGULATE THE RESALE OF INTRASTATE WIDE AREA TELEPHONE SERVICE, is referred to the Committee on Public Utilities.

By Representative Payne:

H. B. 858, A BILL TO BE ENTITLED AN ACT TO DELETE NEW HANOVER COUNTY FROM THE PROVISIONS OF THE GENERAL STATUTES RELATING TO VACANCIES ON BOARDS OF COMMISSIONERS IN CERTAIN COUNTIES, is referred to the Committee on Local Government No. 1.

By Representatives Payne and Rhodes:

H. B. 859, A BILL TO BE ENTITLED AN ACT FOR THE DEVELOPMENT OF PUBLIC RADIO IN NEW HANOVER COUNTY, NORTH CAROLINA, is referred to the Committee on Cultural Resources.

By Representatives Payne and Rhodes:

H. B. 860, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONTINUED RESTORATION OF THE de ROSSET HOUSE IN WILMINGTON, is referred to the Committee on Cultural Resources.

By Representatives Payne and Rhodes:

H. B. 861, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST IN THE RESTORATION OF THE NEW HANOVER COUNTY COURTHOUSE, is referred to the Committee on Cultural Resources.

By Representatives Payne and Rhodes:

H. B. 862, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER AND RELATED LAWS OF THE CITY OF WILMINGTON TO CLARIFY PROCEDURES RELATING TO SPECIAL USE DISTRICTS AND SPECIAL USE PERMITS, is referred to the Committee on Local Government No. 1.

By Representatives Payne and Rhodes:

H. B. 863, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON TO REVISE CERTAIN ORDINANCE PROCEDURES, is referred to the Committee on Local Government No. 1.

By Representatives Payne and Rhodes:

H. B. 864, A BILL TO BE ENTITLED AN ACT TO REPEAL PREVIOUS NEW HANOVER COUNTY LOCAL ACTS CONCERNING TAXING AND REGULATION OF PROFESSIONAL BONDSMEN, AND ESTABLISHING A LAW LIBRARY, is referred to the Committee on Local Government No. 1.

By Representatives Payne and Rhodes:

H. B. 865, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES TO REGULATE DEVELOPMENT IN ESTUARINE WATERS AND PUBLIC TRUST LANDS UNDER NAVIGABLE WATERS, is referred to the Committee on Water and Air Resources.

By Representatives Tyson, Beard, Clark, Edwards, and Jeralds:

H. B. 866, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CUMBERLAND COUNTY BOARD OF COMMISSIONERS TO CONDUCT AN ADVISORY REFERENDUM ON THE QUESTION OF A SUNDAY-CLOSING LAW, is referred to the Committee on Government No. 1.

By Representatives Church, J. W. Crawford, and Watkins:

H. B. 867, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE SECOND ANNUAL BRIGHT LEAF HOEDOWN IN CASWELL COUNTY, is referred to the Committee on Cultural Resources.

By Representative Lancaster:

H. B. 868, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SPEEDY TRIALS BY DELETING THE REQUIREMENT THAT A DEFENDANT MAY NOT BE TRIED WITHOUT HIS CONSENT DURING THE SAME WEEK HE IS ARRAIGNED, is referred to the Committee on Judiciary No. 3.

By Representative Lilley:

H. B. 869, A BILL TO BE ENTITLED AN ACT TO PERMIT THE ROUTING OF SCHOOL BUSSES TO ALLOW THE RECEIVING AND DISCHARGING OF PASSENGERS ON DIVIDED ROADWAYS, is referred to the Committee on Highway Safety.

By Representatives Pulley, Miller, and Spaulding:

H. B. 870, A BILL TO BE ENTITLED AN ACT CONCERNING THE DEADLINE FOR MODIFYING THE BOUNDARIES OF DURHAM CITY ELECTION WARDS, is referred to the Committee on Local Government No. 1.

By Representatives Gillam and Creecy:

H. B. 871, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE NORTHEAST CENTER FOR HUMAN DEVELOPMENT, is referred to the Committee on Appropriations.

By Representatives Musselwhite, Blue, Fussell, and Stamey:

H. B. 872, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE COMPLETION OF THE RESTORATION OF THE JOEL LANE HOUSE KITCHEN IN RALEIGH, is referred to the Committee on Cultural Resources.

By Representative Spaulding:

H. B. 873, A BILL TO BE ENTITLED AN ACT AMENDING G. S. 160A-456 TO CLARIFY THE AUTHORITY OF THE CITY OF DURHAM TO MAKE GRANTS AND LOANS FOR THE ECONOMIC DEVELOPMENT OF BUSINESSES SERVING THE NEEDS OF PERSONS OF LOW AND MODERATE INCOME, is referred to the Committee on Local Government No. 2.

By Representatives Spaulding, Miller, and Pulley:

H. B. 874, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF DURHAM TO COMPLY WITH MINIMUM MINORITY AND/OR WOMEN'S BUSINESS ENTERPRISE PARTICIPATION REQUIREMENTS, is referred to the Committee on Local Government No. 2.

By Representatives Evans and James:

H. B. 875, A BILL TO BE ENTITLED AN ACT REGARDING JUNKED CARS IN DARE COUNTY, is referred to the Committee on Local Government No. 1.

By Representative Enloe:

H. B. 876, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CHEROKEE COUNTY HISTORICAL MUSEUM, is referred to the Committee on Cultural Resources.

By Representatives Holt, Jordan, McAlister, and McDowell:

H. B. 877, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS AND REPAIRS TO THE BUILDINGS OF THE ALAMANCE COUNTY HISTORICAL MUSEUM, INC., is referred to the Committee on Cultural Resources.

By Representatives Miller, Pulley, and Spaulding:

H. B. 878, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE CITY OF DURHAM MAY CONTRACT WITH AND APPROPRIATE MONEY TO ANY PERSON, ASSOCIATION, OR CORPORATION FOR THE ACCOMPLISHMENT OF PUBLIC PURPOSES, is referred to the Committee on Local Government No. 1.

By Representatives Brennan and Easterling:

H. B. 879, A BILL TO BE ENTITLED AN ACT ESTABLISHING MANDATORY MEDIATION OF CHILD CUSTODY AND VISITATION DISPUTES, is referred to the Committee on Judiciary No. 4.

By Representatives Evans and James:

H. B. 880, A BILL TO BE ENTITLED AN ACT ALTERING THE DISTRIBUTION OF PROFITS OF THE CITY OF HERTFORD ABC BOARD, is referred to the Committee on Alcoholic Beverage Control.

By Representatives Evans and James:

H. B. 881, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DARE COUNTY AIRPORT AUTHORITY TO ADOPT ORDINANCES, is referred to the Committee on Local Government No. 1.

By Representative Helms:

H. B. 882, A BILL TO BE ENTITLED AN ACT TO REPEAL CHAPTER 331 OF THE SESSION LAWS OF 1981 CONCERNING THE MECKLENBURG COUNTY ALCOHOLIC BEVERAGE CONTROL BOARD, is referred to the Committee on Alcoholic Beverage Control.

By Representatives DeVane, Hasty, and Locks:

H. B. 883, A BILL TO BE ENTITLED AN ACT TO REGULATE THE USE OF FIREARMS ON PUBLIC HIGHWAYS IN HOKE COUNTY, is referred to the Committee on Wildlife Resources.

By Representatives Hudson and Slaughter:

H. B. 884, A BILL TO BE ENTITLED AN ACT TO REQUIRE A REFERENDUM ON ANY QUESTION OF MERGER OF SCHOOL ADMINISTRATIVE UNITS IN UNION COUNTY, is referred to the Committee on Local Government No. 1.

By Representatives Black and Spoon (co-sponsors):

H. B. 885, A BILL TO BE ENTITLED AN ACT TO INCORPORATE WITHIN THE TOWN OF MINT HILL CERTAIN UNANNEXED TERRITORY LYING WITHIN ITS OUTER BOUNDARIES, is referred to the Committee on Local Government No. 1.

By Representatives Adams, Bruce Ethridge, Fulcher, and Tyndall:

H. B. 886, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REASONABLE BEACH ACCESS WITHIN THE TOWN OF EMERALD ISLE, is referred to the Committee on Natural and Economic Resources.

By Representatives Spaulding, Miller, and Pulley:

H. B. 887, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM, BY ADDING PROVISIONS RELATING TO FAIR HOUSING, is referred to the Committee on Local Government No. 2.

By Representatives Evans and James:

H. B. 888, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CHOWAN COUNTY TO LEVY ADDITIONAL ONE PERCENT SALES AND USE TAXES, is referred to the Committee on Finance.

By Representatives Fulcher, Bruce Ethridge, and Tyndall:

H. B. 889, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE HAMPTON MARINER'S MUSEUM, is referred to the Committee on Cultural Resources.

By Representatives Bruce Ethridge, Fulcher, and Tyndall:

H. B. 890, A BILL TO BE ENTITLED AN ACT TO ALLOW ALL SANITARY DISTRICTS TO EXERCISE ALL POWERS PERMITTED BY THE SANITARY DISTRICT LAW, is referred to the Committee on Local Government No. 1.

By Representative Hackney:

H. B. 892, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 143B-450.1 TO PROVIDE FOR PROVISIONAL DATA-GATHERING AUTHORITY IN THE ENERGY DIVISION OF THE DEPARTMENT OF COMMERCE, is referred to the Committee on Energy.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S. J. R. 393, A JOINT RESOLUTION HONORING THE WINNING TRADITION OF COLLEGE BASKETBALL IN THE STATE OF NORTH CAROLINA, CULMINATING IN BACK TO BACK N.C.A.A. BASKETBALL CHAMPIONSHIPS BY THE UNIVERSITY OF NORTH CAROLINA TARHEELS AND THE NORTH CAROLINA STATE UNIVERSITY WOLFPACK, is read the first time and is referred to the Committee on Rules and Operation of the House.

CALENDAR

Action is taken on the following:

H. B. 432, A BILL TO BE ENTITLED AN ACT TO CLARIFY A MARRIED WOMAN'S DOMICILE FOR TAX PURPOSES.

On motion of Representative Barnes, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 512, A BILL TO BE ENTITLED AN ACT RELATING TO USE OF LISTS OF LICENSED DRIVERS FOR JURY DUTY, AND THE NUMER OF NAMES ON THE JURY LIST.

On motion of Representative Helms, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 477, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FINE FOR ILLEGALLY PARKING IN A PROPERLY DESIGNATED HANDICAPPED PARKING SPACE.

On motion of Representative Bruce Ethridge, the vote by which the bill passed its second reading is reconsidered.

On motion of Representative Bruce Ethridge, the vote by which Amendment No. 1 was adopted is reconsidered.

Representative Bruce Ethridge withdraws Amendment No. 1.

Representative Hightower offers a new Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading by electronic vote (109-1).

Representative Bruce Ethridge objects to the third reading. The bill remains on the Calendar.

H. B. 458, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO REQUIRE THAT DISTRICT ATTORNEYS AND THE ATTORNEY GENERAL BE LICENSED TO PRACTICE LAW, passes its second reading, by the following vote,and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Berry, Black, Blue, Bowen, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Colton, Cook, N. J. Crawford, DeVane, Diamont, Easterling, Economos, Bob Etheridge, Evans, Fenner, Foster, Fussell, Gist, Greenwood, Grimsley, Hackney, Hauser, Hayden, Helms, Holmes, Holt, C. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mavretic, Miller,

Musselwhite, Nash, Nesbitt, Payne, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Robinson, Seymour, Slaughter, Spaulding, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Watkins, Wicker, Womble, B. Woodard, and Wright — 85.

Voting in the negative: Representatives Ballance, Barker, Barnes, Beam, Beard, Brannan, Brawley, Coble, Cochrane, Creecy, Edwards, Fletcher, Gentry, Hasty, Hightower, Hudson, J. Hughes, Jordan, Ligon, Mauney, Murphy, Owens, Pool, Rhodes, Spoon, and Warren — 26.

Excused absences: Representatives J. W. Crawford, Gillam, and C. Woodard — 3.

H. B. 683, A BILL TO BE ENTITLED AN ACT TO REWRITE G. S. 20-217 PERTAINING TO PASSING STOPPED SCHOOL BUSES AND RECEIVING OR DISCHARGING PASSENGERS FROM SCHOOL BUSES STOPPED ON DIVIDED ROADWAYS.

Representative McDowell offers Amendment No. 1 which fails of adoption by electronic vote (35-72).

The bill passes its third reading, by electronic vote (101-5), and is ordered sent to the Senate.

S. B. 152, A BILL TO BE ENTITLED AN ACT TO PROHIBIT CITIES FROM LEVYING A PRIVILEGE LICENSE TAX ON PERSONS ENGAGED IN THE BUSINESS OF PEST CONTROL, passes its second reading, by electronic vote (94-14), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for H. B. 226, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR STATE REVIEW OF LOCAL GOVERNMENT SPONSORED CAMA MINOR DEVELOPMENT PROJECTS, passes its second reading by electronic vote (96-1).

Representative Evans objects to the third reading. The bill remains on the Calendar.

Committee Substitute for H. B. 228, A BILL TO BE ENTITLED AN ACT TO STAY DEVELOPMENT UNDER CAMA PERMITS WHILE REQUESTS FOR APPEALS ARE PENDING, passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

House Committee Substitute for S. B. 49, A BILL TO BE ENTITLED AN ACT RELATING TO THE APPOINTMENT OF NOTARIES PUBLIC.

Representative Pulley calls the previous question on the passage of the bill and the call is sustained by electronic vote (105-3).

The bill passes its second reading by electronic vote (103-5).

Representative Barnes objects to the third reading. The bill remains on the Calendar.

Committee Substitute for H. B. 236, A BILL TO BE ENTITLED AN ACT REQUIRING DEFERRAL OF IMPRISONMENT OF PREGNANT DEFENDANTS CONVICTED OF NONVIOLENT CRIMES.

On motion of Representative Lancaster, consideration of the bill is postponed until April 21, 1983.

House Committee Substitute for S. B. 263, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 53 OF THE GENERAL STATUTES OF NORTH CAROLINA RELATING TO BANKS, passes its second reading by electronic vote (103-1).

Representative Rhodes objects to the third reading. The bill remains on the Calendar.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 55, AN ACT TO ALLOW THE ORANGE COUNTY BOARD OF ELECTIONS TO ESTABLISH A SECOND OFFICE TO HANDLE ONE-STOP ABSENTEE VOTING.

On motion of Representative Hunt, seconded by Representative Black, the House adjourns to reconvene April 20, 1983 at 1:30 p.m.

SEVENTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Wednesday, April 20, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Grimsley.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of April 19 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Black, Brubaker, and Spoon for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Barker for the Committee on Mental Health:

H. B. 598, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE DIVISION OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES FROM THE SOCIAL SERVICES COMMISSION'S TITLE XX RULE MAKING AUTHORITY, with a favorable report.

H. B. 676, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF CATCHMENT AREA, with a favorable report.

By Representative Church for the Committee on State Government:

H. B. 695, A BILL TO BE ENTITLED AN ACT RAISING CERTAIN FEES COLLECTED BY THE SECRETARY OF STATE AND APPROPRIATING FUNDS TO THE SECRETARY OF STATE, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

By Representative McDowell for the Committee on Corrections:

H. B. 604, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES CONCERNING VARIOUS BOARDS AND COMMISSIONS IN THE DEPARTMENT OF CORRECTION, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for April 22, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative McAlister for the Committee on Water and Air Resources:

H. B. 674, A BILL TO BE ENTITLED AN ACT TO CONTROL THE EXPLORATION FOR URANIUM IN THE STATE OF NORTH CAROLINA, with a favorable report, as amended.

By Representative Fussell for the Committee on Highway Safety:

H. B. 499, A BILL TO BE ENTITLED AN ACT TO INCREASE MOTOR VEHICLE ACCIDENT REPORTING LIMITS, with a favorable report.

H. B. 523, A BILL TO BE ENTITLED AN ACT TO AMEND THE MOTOR VEHICLE EQUIPMENT INSPECTION LAW, with a favorable report, as amended.

By Representative Jordan for the Committee on State Personnel:

H. B. 689, A BILL TO BE ENTITLED AN ACT TO INSURE PRIVACY OF AREA MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE AUTHORITY EMPLOYEE PERSONNEL RECORDS, with a favorable report, as amended.

By Representative Lilley for the Committee on Local Government No. 1:

H. B. 560, A BILL TO BE ENTITLED AN ACT TO EMPOWER CHOWAN HOSPITAL TO USE ATTACHMENT AND GARNISHMENT PROCEDURES FOR COLLECTING UNPAID BILLS, with a favorable report.

H. B. 570, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF RALEIGH, CONCERNING RESERVATION OF SITES AND CONCERNING STREET CONSTRUCTION, with a favorable report.

H. B. 765, A BILL TO BE ENTITLED AN ACT TO ALLOW PRINCEVILLE TO ENTER INTO CONTRACTS FOR THE REDEVELOPMENT OF LAND, DISPOSE OF LAND AT PRIVATE SALE AND ALLOWING THE TOWN TO APPROVE A NONPROFIT CORPORATION WHICH MAY ISSUE BONDS AND LEND THE PROCEEDS TO A DEVELOPER, RELATING TO REDEVELOPMENT, with a favorable report.

H. B. 788, A BILL TO BE ENTITLED AN ACT TO ALLOW THE MAYOR OF THE CITY OF NEW BERN TO VOTE ON ALL MATTERS BEFORE THE BOARD OF ALDERMEN, with a favorable report.

H. B. 789, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A UNIT OF LOCAL GOVERNMENT TO PROVIDE A DISCOUNT FOR SPECIAL ASSESSMENT PAYMENTS MADE WITHIN THIRTY DAYS OF THE DUE DATE, with a favorable report, as amended.

By Representative Lutz for the Committee on Local Government No. 2:

H. B. 291, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE NEW HANOVER COUNTY BOARD OF COMMISSIONERS SHALL BE ELECTED

FROM DISTRICTS AND ONLY THE QUALIFIED VOTERS OF THE DISTRICT SHALL VOTE FOR THAT DISTRICT SEAT, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for April 22, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 574, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF MAIDEN TO MAKE STREET AND SIDEWALK IMPROVEMENTS AND ASSESS THE COST AGAINST ABUTTING PROPERTY OWNERS WITHOUT A PETITION, with a favorable report.

On motion of Representative Lutz, the bill is re-referred to the Committee on Local Government No. 2.

H. B. 669, A BILL TO BE ENTITLED AN ACT TO ESTABLISH RESPONSIBILITY FOR DIRT, MUD, AND OTHER DEBRIS ON PUBLIC ROADWAYS AND SIDEWALKS AS A RESULT OF CONSTRUCTION, with a favorable report.

H. B. 292, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE WILMINGTON CITY COUNCIL SHALL BE ELECTED FROM DISTRICTS AND ONLY THE QUALIFIED VOTERS OF THE DISTRICT SHALL VOTE FOR THAT DISTRICT SEAT, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for April 22, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Helms for the Committee on Courts and Administration of Justice:

H. B. 310, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT A CONSTITUTIONAL AMENDMENT APPROVED BY THE VOTERS BY PROVIDING FOR TEMPORARY SERVICE BY RETIRED STATE SUPREME COURT JUSTICES ON EITHER THE SUPREME COURT OR THE COURT OF APPEALS, AND TO AUTHORIZE THE CHIEF JUSTICE TO RECALL RETIRED JUDGES OR JUSTICES IF NECESSARY TO EXPEDITE THE WORK OF THE THE APPELLATE COURTS, with an unfavorable report as to bill, favorable as to committee substitute bill, and recommendation that the substitute bill be re-referred to the Committee on Appropriations.

The substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

H. B. 457, A BILL TO BE ENTITLED AN ACT REQUIRING JUDGES TO CONSIDER THE FUNDS AVAILABLE TO THE STATE IN DETERMINING THE FEES TO BE PAID AN ATTORNEY REPRESENTING AN INDIGENT CRIMINAL DEFENDANT OR OTHER PARTY ENTITLED TO SUCH REPRESENTATION, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title, and recommendation that the substitute bill be re-referred to the Committee on Apropriations.

The substitute bill is re-ferred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Clark:

H. B. 893, A BILL TO BE ENTITLED AN ACT AMENDING THE ELIGIBILITY REQUIREMENTS FOR ABC STORE AND MIXED BEVERAGE ELECTIONS AND THE AUTHORIZATION OF SPECIAL OCCASION AND LIMITED SPECIAL OCCASION PERMITS, is referred to the Committee on Alcoholic Beverage Control.

By Representative Miller:

H. B. 894, A BILL TO BE ENTITLED AN ACT TO PROVIDE FEES FOR PROFESSIONAL SERVICES BY CERTIFIED PUBLIC ACCOUNTANTS WHO SERVE AS FIDUCIARIES, is referred to the Committee on Courts and Administration of Justice.

By Representatives Church, J. W. Crawford, and Watkins:

H. B. 895, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE LAKELAND ARTS CENTER, is referred to the Committee on Cultural Resources.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H. B. 400, A BILL TO BE ENTITLED AN ACT TO RESTRICT THE UNITED STATES GOVERNMENT'S ABILITY TO FORCE MECKLENBURG COUNTY TO HOUSE FEDERAL PRISONERS IN THE MECKLENBURG COUNTY JAIL WITHOUT ADEQUATE FINANCIAL COMPENSATION AND SPACE CONSIDERATION, is returned for concurrence in Senate amendments and is placed on the Calendar for April 21, 1983.

S. B. 268, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 143 OF THE GENERAL STATUTES, ARTICLE 21, PART 8, SO AS TO MAKE FLOOD CONTROL PROJECTS AND ALL LOCAL WATER-BASED RECREATION PROJECTS ELIGIBLE FOR COST-SHARING, is read the first time and is referred to the Committee on Water and Air Resources.

CALENDAR

Action is taken on the following:

H. B. 608, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ADDITIONAL MEMBER ON THE EDGECOMBE COUNTY BOARD OF EDUCATION AND TO PROVIDE FOR THE NOMINATION AND ELECTION OF MEMBERS OF THE EDGECOMBE COUNTY BOARD OF EDUCATION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 611, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE COMPENSATION OF THE CUMBERLAND COUNTY BOARD OF EDUCATION WILL BE SET BY GENERAL LAW, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 585, A BILL TO BE ENTITLED AN ACT REGARDING JURISDICTION OF

THE PINEHURST POLICE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 458, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO REQUIRE THAT DISTRICT ATTORNEYS AND THE ATTORNEY GENERAL BE LICENSED TO PRACTICE LAW, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barnes, Beall, Beam, Berry, Blue, Brannan, Brennan, Bumgardner, Burnley, Chapin, Childress, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Holt, C. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jones, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Poovey, Pulley, Quinn, Redding, Roberts, Robinson, Seymour, Slaughter, Spaulding, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 96.

Voting in the negative: Representatives Barker, Beard, Brawley, Coble, Edwards, Hightower, Hudson, J. Hughes, Jordan, Pool, and Rhodes — 11.

Excused absences: Representatives Black, Brubaker, and Spoon — 3.

S. B. 55, A BILL TO BE ENTITLED AN ACT TO SET FEE LIMITS FOR THE BOARD OF NURSING HOME ADMINISTRATORS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Brannan, Brawley, Brennan, Brown, Bumgardner, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hauser, Hayden, Helms, Hightower, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 109.

Voting in the negative: None.

Excused absences: Representatives Black, Brubaker, and Spoon — 3.

S. B. 169, A BILL TO BE ENTITLED AN ACT TO REVISE PROCEDURES OF THE BOARD OF PODIATRY EXAMINERS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Brannan, Brawley, Brennan, Brown, Bumgardner, Chapin, Childress, Church, Coble, Cochrane,

Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hasty, Hauser, Hayden, Helms, Hightower, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Slaughter, Spaulding, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 109.

Voting in the negative: None.

Excused absences: Representatives Black, Brubaker, and Spoon — 3.

H. B. 477, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FINE FOR ILLEGALLY PARKING IN A PROPERLY DESIGNATED HANDICAPPED PARKING SPACE.

The bill, as amended, passes its third reading, by electronic vote (103-1), and is ordered engrossed and sent to the Senate.

Committee Substitute for H. B. 226, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR STATE REVIEW OF LOCAL GOVERNMENT SPONSORED CAMA MINOR DEVELOPMENT PROJECTS, passes its third reading, by electronic vote (104-1), and is ordered sent to the Senate.

House Committee Substitute for S. B. 49, A BILL TO BE ENTITLED AN ACT RELATING TO THE APPOINTMENT OF NOTARIES PUBLIC.

Representative Barnes offers Amendment No. 1 which is adopted by electronic vote (91-6).

Representative Gentry offers Amendment No. 2.

On motion of Representative Pulley, seconded by Representative Watkins, Amendment No. 2 is tabled by electronic vote (64-34).

Representative DeVane offers Amendment No. 3.

On motion of Representative Pulley, seconded by Representative Watkins, Amendment No. 3 is tabled by electronic vote (69-30).

Representative Pulley calls the previous question on the passage of the bill and the call is sustained by electronic vote (101-0).

The bill, as amended, passes its third reading, by electronic vote (94-5), and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

House Committee Substitute for S. B. 263, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 53 OF THE GENERAL STATUTES OF NORTH CAROLINA RELATING TO BANKS, passes its third reading, by electronic vote (93-0), and is ordered sent to the Senate for concurrence in House committee substitute.

H. B. 551, A BILL TO BE ENTITLED AN ACT AMENDING THE COUNTY HOSPITAL ACT TO AUTHORIZE A COUNTY HOSPITAL TO ESTABLISH AND OPERATE BRANCH FACILITIES IN OTHER COUNTIES.

On motion of Representative James, consideration of the bill is postponed until April 27, 1983.

H. B. 593, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE DAY-CARE LICENSING INSPECTIONS, passes its second reading, by electronic vote (86-9), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 665, A BILL TO BE ENTITLED AN ACT TO AMEND THE CORPORATION INCOME TAX ACT TO PROVIDE FOR SOLAR TAX CREDITS FOR CORPORATIONS ENGAGED IN SERVICE AS WELL AS MANUFACTURING BUSINESSES.

Representative Brannan requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

On motion of Representative Hackney, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (93-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 666, A BILL TO BE ENTITLED AN ACT TO AMEND THE INDIVIDUAL INCOME TAX ACT TO PROVIDE FOR SOLAR TAX CREDITS FOR INDIVIDUALS' SERVICE AS WELL AS MANUFACTURING BUSINESSES.

Representative Brannan requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

On motion of Representative Hackney, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (93-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Speaker Pro Tempore Allen C. Barbee presiding.

H. B. 651, A BILL TO BE ENTITLED AN ACT TO AMEND THE ADOPTION STATUTES AND RELATED LAWS.

On motion of Representative Wright, the bill is re-referred to the Committee on Judiciary No. 2.

H. B. 652, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 14-320 CONCERNING THE SEPARATION OF CHILDREN FROM THEIR PARENTS.

On motion of Representative Wright, the bill is re-referred to the Committee on Judiciary No. 2.

H. B. 653, A BILL TO BE ENTITLED AN ACT TO CLARIFY A PUTATIVE FATHER'S RIGHT TO NOTICE OF AN ADOPTION.

Representative Wright calls the previous question on the passage of the bill and the call is sustained.

The bill passes its second reading by electronic vote (76-27).

Representative Lee objects to the third reading. The bill remains on the Calendar.

H. B. 680, A BILL TO BE ENTITLED AN ACT TO REQUIRE COUNTY DIRECTORS OF SOCIAL SERVICES TO RESPOND TO REQUESTS FOR CONSENT TO SEPARATE AN INFANT FROM ITS PARENT, passes its second reading, by electronic vote (99-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 711, A BILL TO BE ENTITLED AN ACT TO SPECIFICALLY INCLUDE MONEY USED IN DRUG DEALING AS PROPERTY SUBJECT TO FORFEITURE UNDER THE CONTROLLED SUBSTANCES ACT.

On motion of Representative Rabon, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 713, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO VARIOUS STATUTES AFFECTING CRIMINAL LAW.

On motion of Representative Rabon, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 157, A BILL TO BE ENTITLED AN ACT RELATING TO THE CERTIFICATION OF ELECTIONS WHICH ARE CONTESTED.

On motion of Representative Roberts, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (99-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

S. B. 110, A BILL TO BE ENTITLED AN ACT TO PERMIT THE STATE BOARD OF ELECTIONS TO ADOPT THE FINDINGS OF A COUNTY BOARD OF ELECTIONS AND ORDER A NEW ELECTION WITHOUT DUPLICATING THE PUBLIC HEARING HELD BY THE COUNTY BOARD, passes its second reading, by electronic vote (92-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 126, A BILL TO BE ENTITLED AN ACT TO AMEND THE PRESIDENTIAL PREFERENCE PRIMARY ACT TO ALLOW CHOOSING OF AN ALLOCATION FORMULA WHICH REFLECTS THE DIVISION OF VOTES BUT DOES NOT REQUIRE EXACT PROPORTIONAL REPRESENTATION, passes its second reading by electronic vote (62-41).

Representative Hightower objects to the third reading. The bill remains on the Calendar.

S. B. 173, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT COUNTIES WHICH MAINTAIN VOTER RECORDS ON ELECTRONIC DATA PROCESSING EQUIPMENT PROVIDE DISCS OR TAPES TO STATE PARTIES ON THE SAME SCHEDULE AS LISTS TO COUNTY PARTIES, passes its second reading by electronic vote (97-6).

Representative Mavretic objects to the third reading. The bill remains on the Calendar.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. B. 152, AN ACT TO PROHIBIT CITIES FROM LEVYING A PRIVILEGE LICENSE TAX ON PERSONS ENGAGED IN THE BUSINESS OF PEST CONTROL.

H. B. 362, AN ACT TO AMEND G. S. 75A-5 WITH RESPECT TO TRANSFER OF MOTORBOAT REGISTRATION.

H. B. 432, AN ACT TO CLARIFY A MARRIED WOMAN'S DOMICILE FOR TAX PURPOSES.

H. B. 440, AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE NORTH CAROLINA PHARMACY PRACTICE ACT.

H. B. 512, AN ACT RELATING TO USE OF LISTS OF LICENSED DRIVERS FOR JURY DUTY, AND THE NUMBER OF NAMES ON THE JURY LIST.

H. B. 529, AN ACT TO ALLOW THE PERSONAL REPRESENTATIVE IN CERTAIN SITUATIONS TO WITHDRAW FROM JOINT BANK DEPOSITS WITHOUT OBTAINING A TAX WAIVER FROM THE SECRETARY OF REVENUE.

On motion of Representative Hunt, seconded by Representative Helms, the House adjourns to reconvene April 21, 1983 at 1:30 p.m.

SEVENTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Thursday, April 21, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Lambeth.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of April 20 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Spoon for today.

Representative Fletcher moves that H. B. 630, A BILL TO BE ENTITLED AN ACT

RESTRICTING THE USE OF LOCAL SALES AND USE TAX REVENUE IN BURKE COUNTY, be recalled from the Senate and this motion carries.

The Speaker orders a Special Message be sent to the Senate requesting the return of the bill for further consideration.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Bruce Ethridge for the Committee on Natural and Economic Resources:

H. B. 784, A BILL TO BE ENTITLED AN ACT TO AMEND THE BEACH ACCESS PROGRAM RELATING TO LAND ACQUISITION, with a favorable report.

S. B. 245, A BILL TO BE ENTITLED AN ACT TO AMEND ADMINISTRATIVE PROVISIONS OF THE MARINE FISHERIES ACT TO MAKE A TECHNICAL CHANGE, with a favorable report.

S. B. 246, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. CHAPTER 143, ARTICLE 38 SO AS TO ELIMINATE OUTMODED PROVISIONS CONCERNING THE STATE STREAM SANITATION COMMITTEE AND THE BOARD OF WATER RESOURCES, AND AN OBSOLETE REFERENCE TO THE SAND DUNE LAW, with a favorable report.

By Representative Mavretic for the Committee on Pensions and Retirement:

H. B. 808, A BILL TO BE ENTITLED AN ACT TO EXCLUDE NEW EMPLOYEES OF CERTAIN LICENSING AND EXAMINING BOARDS, EMPLOYEE AND TEACHER ASSOCIATIONS, AND PRIVATE NOT-FOR-PROFIT CORPORATIONS FROM THE MEMBERSHIP OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM OF NORTH CAROLINA, with a favorable report.

By Representative Pulley for the Committee on Judiciary No. 4:

H. B. 723, A BILL TO BE ENTITLED AN ACT TO SPECIFY WHEN A PROCESSING FEE MAY BE CHARGED FOR CHECKS SENT BY MAIL AND WHEN A COLLECTION AGENCY MAY COLLECT A PROCESSING FEE FOR RETURNED CHECKS, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for April 25, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Brannan for the Committee on Housing:

H. B. 272, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A PILOT PROGRAM TO ASSIST ELDERLY, LOW-INCOME HOMEOWNERS IN MAKING HOME REPAIRS, with an unfavorable report as to bill, favorable as to committee substitute bill and recommendation that the substitute bill be re-referred to the Committee on Appropriations.

The substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Miller for the Committee on Judiciary No. 1:

H. B. 53, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS CONCERNING THE ADVISORY BUDGET COMMISSION AND OTHER BOARDS TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE ON SEPARATION OF POWERS, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for April 25, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Quinn for the Committee on Finance:

H. B. 647, A BILL TO BE ENTITLED AN ACT REGARDING DISCOUNTS FOR PAYMENTS OF PROPERTY TAX IN SURRY COUNTY, with a favorable report.

By Representative Lambeth for the Committee on Wildlife Resources:

H. B. 194, A BILL TO BE ENTITLED AN ACT TO REPEAL THE POWER TO APPOINT SPECIAL CONSERVATION OFFICERS, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for April 25, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 823, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM CERTAIN ROADS IN CAMDEN COUNTY, with a favorable report.

By Representative Lancaster for the Committee on Judiciary No. 3:

H. B. 503, A BILL TO BE ENTITLED AN ACT SETTING THE DATE FOR VALUATION OF PROPERTY DIVIDED UNDER EQUITABLE DISTRIBUTION, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for April 25, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 527, A BILL TO BE ENTITLED AN ACT MAKING HONORABLE DISCHARGE FROM THE MILITARY A MITIGATING FACTOR UNDER THE FAIR SENTENCING ACT, with a favorable report.

H. B. 616, A BILL TO BE ENTITLED AN ACT REGARDING RETENTION AND DESTRUCTION OF LIBRARY BOOKS IN DARE COUNTY, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for April 25, 1983. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Chapin, Anderson, Bruce Ethridge, Evans, C. Hughes, James, Lambeth, Locks, Stamey, and Tyndall:

H. J. R. 896, A JOINT RESOLUTION AUTHORIZING A STUDY BY THE LEGISLATIVE RESEARCH COMMISSION OF MEANS BY WHICH THE MARKETING OF SEAFOOD PRODUCED BY FISHERMEN CAN BE IMPROVED, is referred to the Committee on Rules and Operation of the House.

By Representatives Colton, N. J. Crawford, Greenwood, and

H. B. 897, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A FIRE ESCAPE AT SILVERMONT IN BREVARD, is referred to the Committee on Cultural Resources.

By Representatives Enloe, Black, Childress, N. J. Crawford, Gist, Greenwood, Grimsley, Hasty, Hunter, Jarrell, and Warren:

H. J. R. 898, A JOINT RESOLUTION REQUESTING THAT THE LEGISLATIVE RESEARCH COMMISSION CONTINUE ITS STUDY OF COLLEGE SCIENCE EQUIPMENT, is referred to the Committee on Rules and Operation of the House.

By Representative Helms:

H. B. 899, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A CONFERENCE OF DISTRICT ATTORNEYS AND TO PROVIDE FOR AN EXECUTIVE SECRETARY OF THE CONFERENCE WHO ALSO SERVES AS THE ADMINISTRATOR FOR PROSECUTION SERVICES OF THE ADMINISTRATIVE OFFICE OF THE COURTS, is referred to the Committee on Courts and Administration of Justice.

By Representatives Payne and Rhodes:

H. B. 900, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE CITY OF WILMINGTON FOR THE DEVELOPMENT OF A BOAT LAUNCH AND A WATERFRONT PARK ON THE CAPE FEAR RIVER, is referred to the Committee on Appropriations.

By Representative Ligon:

H. J. R. 901, A JOINT RESOLUTION URGING CONGRESS TO PROPOSE THE LIBERTY AMENDMENT TO THE UNITED STATES CONSTITUTION, is referred to the Committee on Rules and Operation of the House.

By Representatives Ligon, C. Hughes, J. Hughes, Jordan, and Lacey:

H. B. 902, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT CHECKS ON ALL NEW CHECKING ACCOUNTS INDICATE THE MONTH AND YEAR IN WHICH THE ACCOUNT WAS OPENED, is referred to the Committee on Banks and Thrift Institutions.

By Representatives Pool and Bowen:

H. B. 903, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A CLIMATE CONTROL SYSTEM FOR THE PENDER COUNTY HISTORICAL MUSEUM, is referred to the Committee on Cultural Resources.

By Representatives Easterling and Colton (co-sponsored); Adams, Ballance, Barnes, Berry, Black, Blue, Bowen, Brennan, Cook, N. J. Crawford, Economos, Edwards, Fenner, Foster, Fussell, Greenwood, Hackney, Hayden, Helms, Holt, Huskins, Jarrell, Jeralds, Jones, Keesee, Kennedy, Lambeth, Lancaster, Lee, Lilley, McAlister, McDowell, Miller, Musselwhite, Pulley, Seymour, Slaughter, Spaulding, Spoon, Tennille, Thomas, Tyson, Warren, Watkins, Womble, C. Woodard, and Wright:

H. J. R. 904, A JOINT RESOLUTION TO PERMIT THE CONTINUANCE OF THE WORK OF THE LEGISLATIVE RESEARCH COMMISSION'S STUDY ON THE ECONOMIC, SOCIAL AND LEGAL PROBLEMS AND NEEDS OF WOMEN AS BEGUN UNDER RESOLUTION 61 OF THE 1981 SESSION, is referred to the Committee on Rules and Operation of the House.

By Representatives Beam, Brennan, Gillam, Holmes, Hunter, and Tennille:

H. B. 905, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 7A OF THE GENERAL STATUTES BY ELIMINATING THE JUDICIAL COUNCIL, is referred to the Committee on Rules and Operation of the House.

By Representative Poovey:

H. B. 906, A BILL TO BE ENTITLED AN ACT TO SET AN EARLIER FILING DEADLINE FOR CITIES THAT USE THE NONPARTISAN PLURALITY METHOD OF ELECTION, is referred to the Committee on Election Laws.

By Representatives Hunt, Adams, Barbee, Beam, Blue, Bob Etheridge, Evans, Hightower, Hunter, James, Lancaster, Lutz, Mauney, Miller, Nesbitt, Owens, Pulley, Quinn, Watkins, Wicker, and Wright:

H. B. 907, A BILL TO BE ENTITLED AN ACT TO SET A CONVENING DATE FOR THE 1985 SESSION OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules and Operation of the House.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for H. B. 18, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM AMOUNT OF THE BOND REQUIRED OF DISTRIBUTORS OF MOTOR FUEL AND SUPPLIERS OF SPECIAL FUEL, TO REQUIRE PERSONS WHO ARE BOTH DISTRIBUTORS AND SUPPLIERS TO FILE A BOND SUFFICIENT TO COVER BOTH LIABILITIES: AND TO IMPOSE PERSONAL LIABILITY UPON RESPONSIBLE CORPORATE OFFICERS, is returned for concurrence in Senate amendment and is placed on the Calendar for April 22, 1983.

Senate Committee Substitute for House Committee Substitute for H. B. 197, A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL BRAKE LIGHTS TO BE RED AND PERMIT OTHER LIGHTS ON THE REAR OF ANY MOTOR VEHICLE TO BE AMBER, YELLOW, OR WHITE, Is returned for concurrence in Senate committee substitute and is referred to the Committee on Highway Safety.

S. B. 253, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 104D OF THE GENERAL STATUTES TO ENTER INTO THE SOUTHERN STATES ENERGY COMPACT AND TO ESTABLISH THE SOUTHERN STATES ENERGY BOARD, is read the first time and is referred to the Committee on Energy.

CALENDAR

Action is taken on the following:

H. B. 400, A BILL TO BE ENTITLED AN ACT TO RESTRICT THE UNITED STATES GOVERNMENT'S ABILITY TO FORCE MECKLENBURG COUNTY TO HOUSE FEDERAL PRISONERS IN THE MECKLENBURG COUNTY JAIL WITHOUT ADEQUATE FINANCIAL COMPENSATION AND SPACE CONSIDERATION.

On motion of Representative Easterling, the House concurs in the Senate amendments and the bill is ordered enrolled.

H. B. 560, A BILL TO BE ENTITLED AN ACT TO EMPOWER CHOWAN HOSPITAL TO USE ATTACHMENT AND GARNISHMENT PROCEDURES FOR COLLECTING UNPAID BILLS.

Representative James offers Amendment No. 2 which is adopted by electronic vote (90-25).

Representative Barnes offers Amendment No. 3 which is adopted by electronic vote (83-26).

Representative Pulley offers Amendment No. 4 which is adopted by electronic vote (75-23).

Representative Stamey offers Amendment No. 5 which is adopted by electronic vote (77-25).

Representative Nesbitt offers Amendment No. 6.

On motion of Representative Mavretic, consideration of the bill and pending Amendment No. 6 is postponed until April 26, 1983 by electronic vote (57-52).

H. B. 570, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF RALEIGH, CONCERNING RESERVATION OF SITES AND CONCERNING STREET CONSTRUCTION.

Representative Musselwhite requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barker, Barnes. Beall, Beam, Berry, Black, Blue, Brannan, Brawley, Brennan, Brown, Brubaker, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mavretic, Miller, Murphy, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Womble, B. Woodard, C. Woodard, and Wright — 104.

Voting in the negative: None.

Excused absences: Representative Spoon.

Excused votes: Representative Musselwhite.

H. B. 765, A BILL TO BE ENTITLED AN ACT TO ALLOW PRINCEVILLE TO ENTER INTO CONTRACTS FOR THE REDEVELOPMENT OF LAND, DISPOSE OF LAND AT PRIVATE SALE AND ALLOWING THE TOWN TO APPROVE A NONPROFIT CORPORATION WHICH MAY ISSUE BONDS AND LEND THE PROCEEDS TO A DEVELOPER, RELATING TO REDEVELOPMENT, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 788, A BILL TO BE ENTITLED AN ACT TO ALLOW THE MAYOR OF THE CITY OF NEW BERN TO VOTE ON ALL MATTERS BEFORE THE BOARD OF ALDERMEN, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 669, A BILL TO BE ENTITLED AN ACT TO ESTABLISH RESPONSIBILITY FOR DIRT, MUD, AND OTHER DEBRIS ON PUBLIC ROADWAYS AND SIDEWALKS AS A RESULT OF CONSTRUCTION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
April 21, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body that your request for the return of H.B. 630, A BILL TO BE ENTITLED AN ACT RESTRICTING THE USE OF LOCAL SALES AND USE TAX REVENUE IN BURKE COUNTY, is acknowledged and we herewith comply.

Respectfully,
S/ SYLVIA M. FINK
Principal Clerk

The Speaker recognizes Representative Fletcher.

Representative Fletcher moves that the vote by which H. B. 630 passed its third reading be reconsidered and this motion carries.

Representative Fletcher moves that the vote by which the bill passed its second reading be reconsidered and this motion carries.

The Speaker states that now the question is the passage of the bill on its second roll-call reading.

The bill passes its second reading, by the following roll call vote (100-0) and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Bowen, Brannan, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, N.J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hudson, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Redding, Rhodes, Roberts, Seymour, Slaughter, Spaulding, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 100.

Voting in the negative: None.

Excused absences: Representative Spoon.

S. B. 169, A BILL TO BE ENTITLED AN ACT TO REVISE PROCEDURES OF THE BOARD OF PODIATRY EXAMINERS, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Economos, Edwards, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holt, Hudson, J. Hughes, Hunt, Hunter, Huskins, James, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Quinn, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 107.

Voting in the negative: None.

Excused absences: Representatives Jarrell and Spoon — 2.

S. B. 55, A BILL TO BE ENTITLED AN ACT TO SET FEE LIMITS FOR THE BOARD OF NURSING HOME ADMINISTRATORS, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Redding, Rhodes, Roberts, Seymour, Slaughter, Spaulding, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 104.

Voting in the negative: Representative Allran.

Excused absences: Representative Spoon.

Committee Substitute for H. B. 255, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 74C, THE PRIVATE PROTECTIVE SERVICES ACT, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gillam, Gist, Greenwood, Grimsley,

Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunter, Huskins, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Ligon, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Payne, Pool, Poovey, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 105.

Voting in the negative: None.

Excused absences: Representatives Jarrell and Spoon — 2.

H. B. 653, A BILL TO BE ENTITLED AN ACT TO CLARIFY A PUTATIVE FATHER'S RIGHT TO NOTICE OF AN ADOPTION.

Representative Wright offers Amendment No. 1 which is adopted by electronic vote (104-0).

Representative Ballance offers Amendment No. 2.

On motion of Representative DeVane, seconded by Representative Wright, Amendment No. 2 is tabled by electronic vote (81-24).

Representative Wright calls the previous question on the passage of the bill and the call is sustained by electronic vote (105-3).

The bill, as amended, passes its third reading, by electronic vote (93-15), and is ordered engrossed and sent to the Senate.

S. B. 126, A BILL TO BE ENTITLED AN ACT TO AMEND THE PRESIDENTIAL PREFERENCE PRIMARY ACT TO ALLOW CHOOSING OF AN ALLOCATION FORMULA WHICH REFLECTS THE DIVISION OF VOTES BUT DOES NOT REQUIRE EXACT PROPORTIONAL REPRESENTATION.

Representative Bruce Ethridge offers Amendment No. 1.

On motion of Representative Helms, seconded by Representative Hackney, Amendment No. 1 is tabled by electronic vote (72-31).

Representative Blue calls the previous question on the passage of the bill and the call is sustained by electronic vote (80-24).

The bill passes its third reading, by electronic vote (84-21), and is ordered enrolled.

S. B. 173, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT COUNTIES WHICH MAINTAIN VOTER RECORDS ON ELECTRONIC DATA PROCESSING EQUIPMENT PROVIDE DISCS OR TAPES TO STATE PARTIES ON THE SAME SCHEDULE AS LISTS TO COUNTY PARTIES, passes its third reading, by electronic vote (97-5), and is ordered enrolled.

Committee Substitute for H. B. 236, A BILL TO BE ENTITLED AN ACT REQUIRING DEFERRAL OF IMPRISONMENT OF PREGNANT DEFENDANTS CONVICTED OF NONVIOLENT CRIMES, passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 345, A BILL TO BE ENTITLED AN ACT TO

ALLOW WATER AND SEWER AUTHORITIES TO DEFEND OFFICERS, EMPLOYEES, AND GOVERNING BOARD MEMBERS AND PAY ANY OR ALL OF A CLAIM MADE OR CIVIL JUDGMENT ENTERED AGAINST ANY OF THEM.

On motion of Representative Miller, the bill is re-referred to the Committee on Judiciary No. 1.

Committee Substitute for H. B. 144, A BILL TO BE ENTITLED AN ACT TO REMOVE MENTAL RETARDATION FROM THE CONDITIONS PROHIBITING A PERSON FROM WORK IN A DAY-CARE CENTER, passes its second reading, by electronic vote (92-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Seante.

H. B. 598, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE DIVISION OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES FROM THE SOCIAL SERVICES COMMISSION'S TITLE XX RULE MAKING AUTHORITY, passes its second reading, by electronic vote (94-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 676, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF CATCHMENT AREA, passes its second reading, by electronic vote (93-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 674, A BILL TO BE ENTITLED AN ACT TO CONTROL THE EXPLORATION FOR URANIUM IN THE STATE OF NORTH CAROLINA.

Representative Adams requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

On motion of Representative McAlister, Committee Amendments Nos. 1 and 2 are adopted.

The bill, as amended, passes its second reading, by electronic vote (88-4), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 499, A BILL TO BE ENTITLED AN ACT TO INCREASE MOTOR VEHICLE ACCIDENT REPORTING LIMITS, passes its second reading, by electronic vote (97-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 523, A BILL TO BE ENTITLED AN ACT TO AMEND THE MOTOR VEHICLES EQUIPMENT INSPECTION LAW.

On motion of Representative Fussell, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (97-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 689, A BILL TO BE ENTITLED AN ACT TO INSURE PRIVACY OF AREA MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE AUTHORITY EMPLOYEE PERSONNEL RECORDS.

On motion of Representative Barker, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (90-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 789, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A UNIT OF LOCAL GOVERNMENT TO PROVIDE A DISCOUNT FOR SPECIAL ASSESSMENT PAYMENTS MADE WITHIN THIRTY DAYS OF THE DUE DATE.

On motion of Representative Musselwhite, Committee Amendments Nos. 1 and 2 are adopted.

The bill, as amended, passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

ENROLLED BILLS

The following are properly enrolled, duly ratified and sent to the office of the Secretary of State:

H. B. 332, AN ACT TO REQUIRE REPORTING OF ALL CASES OF ABUSED JUVENILES TO THE DISTRICT ATTORNEY.

H. B. 375, AN ACT TO REQUIRE THAT ALL VESSELS IN CERTAIN COUNTIES CARRY A PERSONAL FLOTATION DEVICE.

H. B. 475, AN ACT TO HAVE DISCOVERY PAPERS FILED WITH CLERK ONLY WHEN USED IN PROCEEDING.

H. B. 505, AN ACT TO AMEND THE CHARTER OF THE CITY OF MORGANTON FOR THE PURPOSE OF PERMITTING THE MAYOR TO VOTE ON ALL ISSUES.

H. B. 514, AN ACT AUTHORIZING THE DAVIE COUNTY BOARD OF COMMISSIONERS TO CONVEY CERTAIN REAL PROPERTY.

H. B. 528, AN ACT TO AMEND THE ESCHEAT AND ABANDONED PROPERTY LAWS OF NORTH CAROLINA.

H. B. 561, AN ACT TO VALIDATE CERTAIN ACTS OF NOTARIES.

H. B. 573, AN ACT TO ALLOW THE DARE COUNTY BOARD OF COMMISSIONERS TO ABOLISH OR REDUCE THE SIZE OF THE KITTY HAWK FIRE PROTECTION DISTRICT, AND TO CHANGE THE NAME OF THE DISTRICT.

H. B. 599, AN ACT TO AUTHORIZE LENOIR COUNTY TO PERMIT DISPOSITION OF LAND FOR A SPECIAL PURPOSE AT FAIR MARKET VALUE WITHOUT COMPETITIVE BIDDING: TO PERMIT DISPOSITION OF LAND ON THE BASIS OTHER THAN THE HIGHEST MONETARY BID, WHERE SUCH DISPOSITION IS FOUND TO SERVE THE BEST INTEREST OF THE MUNICIPALITY, AND TO DISPOSE OF PROPERTY AT PRIVATE SALE.

H. B. 613, AN ACT TO AUTHORIZE THE TYRRELL COUNTY BOARD OF COMMISSIONERS TO ENTER INTO CERTAIN CONTRACTS WITHOUT COMPLYING WITH THE PROVISIONS OF CHAPTER 133 AND OF ARTICLE 8 OF CHAPTER 143 OF THE GENERAL STATUTES.

H. B. 627, AN ACT TO AMEND THE SCHOOL BUDGET AND FISCAL CONTROL ACT AS IT APPLIES TO SAMPSON COUNTY CONCERNING APPROVAL OF EXPENDITURES SOME OR ALL OF WHICH ARE TO BE PAID IN ENSUING FISCAL YEARS.

S. B. 110, AN ACT TO PERMIT THE STATE BOARD OF ELECTIONS TO ADOPT THE FINDINGS OF A COUNTY BOARD OF ELECTIONS AND ORDER A NEW ELECTION WITHOUT DUPLICATING THE PUBLIC HEARING HELD BY THE COUNTY BOARD.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
April 21, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the Senate fails to concur in House Committee Substitute for Senate Committee Substitute for S. B. 117, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MEMBERSHIP OF THE STATE BANKING COMMISSION AND TO SUBJECT THE APPOINTMENT OF THE COMMISSIONER OF BANKS TO CONFIRMATION BY THE GENERAL ASSEMBLY, and requests conferees. The President appoints Senators Edwards of Caldwell, Duncan, and Hardison on the part of the Senate to confer with a like committee appointed by the House to the end that the differences arising may be adjusted.

Respectfully,
S/ SYLVIA M. FINK
Principal Clerk

On motion of Representative Fulcher, seconded by Representative Thomas, the House adjourns to reconvene April 22, 1983 at 10:30 a.m.

SEVENTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Friday, April 22, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend Jeanette Stokes, Greensboro, North Carolina.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of April 21 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Ballance, Burnley, Cochrane, Evans, Hasty, Helms, James, Jarrell, and Owens for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Pulley for the Committee on Judiciary No. 4:

Committee Substitute No. 1 for H. B. 186, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 110 OF THE GENERAL STATUTES TO ESTABLISH PROCEDURES FOR THE PROVISION OF NONRECIPIENT SERVICES AS REQUIRED BY FEDERAL LAW, with an unfavorable report as to Committee Substitute Bill No. 1, favorable as to Committee Substitute Bill No. 2.

Committee Substitute Bill No. 2 is placed on the Calendar for April 26, 1983. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Wicker for the Committee on Law Enforcement:

H. B. 659, A BILL TO BE ENTITLED AN ACT TO IMPROVE AND ENHANCE REQUIRED AND ADVANCED TRAINING FOR NORTH CAROLINA'S LAW ENFORCEMENT OFFICERS, with a favorable report and recommendation that the bill be re-referred to the Committee on Courts and Administration of Justice.

By Representative Hunt for the Committee on Rules and Operation of the House:

H. J. R. 417, A JOINT RESOLUTION MEMORIALIZING THE LIFE AND WORK OF HARDY TALTON, with a favorable report.

H. J. R. 594, A JOINT RESOLUTION REQUESTING THAT THE LEGISLATIVE RESEARCH COMMISSION STUDY OF DAY CARE BE CONTINUED, with a favorable report and recommendation that the resolution be re-referred to the Committee on Appropriations.

H. B. 907, A BILL TO BE ENTITLED AN ACT TO SET A CONVENING DATE FOR THE 1985 SESSION OF THE GENERAL ASSEMBLY, with a favorable report, as amended.

H. B. 810, A BILL TO BE ENTITLED AN ACT TO ALLOW THE SPEAKER OF THE HOUSE AND THE PRESIDENT OF THE SENATE TO AUTHORIZE STUDIES BY STANDING COMMITTEES AND TO CREATE AND APPOINT SELECT COMMITTEES OF THE GENERAL ASSEMBLY, AND TO MAKE TECHNICAL AMENDMENTS, with a favorable report.

On motion of Representative Barbee, the rules are suspended and the bill is placed on the Calendar for April 26, 1983.

By Representative Brennan for the Committee on Human Resources:

H. B. 780, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ENFORCEMENT OF DAY-CARE LICENSING, with a favorable report.

By Representative Watkins for the Committee on Appropriations:

H. B. 177, A BILL TO BE ENTITLED AN ACT PROVIDING COMPENSATION FOR INNOCENT VICTIMS OF CRIME, with a favorable report, as amended.

Committee Substitute for H. B. 307, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE USE OF LOCAL OR FEDERAL FUNDS TO PURCHASE REAL PROPERTY BY THE AREA MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE AUTHORITIES, with a favorable report.

On motion of Representative Barker, H. B. 402, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF "DANGEROUS TO OTHERS" IN THE INVOLUNTARY COMMITMENT LAWS TO PROVIDE A MORE ACCURATE ASSESSMENT OF DANGEROUSNESS, is withdrawn from the Committee on Mental Health and is re-referred to the Committee on Judiciary No. 3.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Nesbitt, Beall, Brown, Colton, N. J. Crawford, Enloe, Fletcher, Greenwood, C. Hughes, J. Hughes, Hunt, Hunter, Lacey, Lutz, Owens, and Robinson:

H. B. 908, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE WESTERN NORTH CAROLINA DEVELOPMENT ASSOCIATION, INC., is referred to the Committee on Appropriations.

By Representatives Bob Etheridge, Beam, Brown, Diamont, Bruce Ethridge, Evans, Fulcher, Gillam, Helms, Hightower, Hunt, Hunter, James, Jeralds, Jordan, Lancaster, Lilley, Locks, Lutz, Mauney, Mavretic, Nesbitt, Rabon, Roberts, Slaughter, Tyson, Warren, Watkins, Wicker, C. Woodard, and Wright:

H. B. 909, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE V OF THE CONSTITUTION OF NORTH CAROLINA TO AUTHORIZE THE GENERAL ASSEMBLY TO CREATE AN AGENCY TO ISSUE REVENUE BONDS TO FINANCE AGRICULTURAL FACILITIES PROJECTS, SUBJECT TO THE APPROVAL OF THE ELECTORATE, is referred to the Committee on Finance.

By Representatives Bob Etheridge, Beam, Brown, Church, Diamont, Bruce Ethridge, Evans, Fulcher, Gillam, Helms, Hightower, Hunt, Hunter, James, Jeralds, Jordan, Lancaster, Lilley, Locks, Lutz, Mauney, Mavretic, Nesbitt, Quinn, Rabon, Roberts, Slaughter, Thomas, Tyson, Warren, Watkins, Wicker, C. Woodard, and Wright:

H. B. 910, A BILL TO BE ENTITLED AN ACT CREATING THE NORTH CAROLINA AGRICULTURAL FACILITIES FINANCE AGENCY AND AUTHORIZING SAID AGENCY TO FINANCE THE CONSTRUCTION, ACQUISITION AND DEVELOPMENT OF AGRICULTURAL FACILITIES, is referred to the Committee on Finance.

By Representative Roberts:

H. B. 911, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE APPLICABLE COURT SHALL MAKE THE DIVISION OF THE SETTLEMENT OR JUDGMENT COSTS AMONG JOINT TORTFEASORS IN ACTIONS BROUGHT UNDER THE WORKERS' COMPENSATION ACT WHEN THEY CANNOT AGREE AND PROVIDING FOR LIMITATIONS OF ITS APPLICABILITY, is referred to the Committee on Courts and Administration of Justice.

By Representative Roberts:

H. B. 912, A BILL TO BE ENTITLED AN ACT TO PROVIDE A PRIMA FACIE RULE OF EVIDENCE FOR G. S. 15A-543 IN ORDER TO EFFECTIVELY PROSECUTE PERSONS WHO WILLFULLY FAIL TO APPEAR IN COURT, is referred to the Committee on Courts and Administration of Justice.

By Representative Roberts:

H. B. 913, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHEN A DISTRICT COURT JUDGE TRANSFERS A JUVENILE FELONY CASE TO SUPERIOR COURT, THE SUPERIOR COURT HAS JURISDICTION OVER THAT FELONY, ANY RELATED OFFENSE, AND ANY GREATER OR LESSER INCLUDED OFFENSE OF THAT FELONY, is referred to the Committee on Courts and Administration of Justice.

By Representative Colton:

H. B. 914, A BILL TO BE ENTITLED AN ACT TO ENABLE CITIES, TOWNS, AND COUNTIES TO PROVIDE FOR NEIGHBORHOOD, COMMUNITY AND RURAL PRESERVATION, is referred to the Committee on Cultural Resources.

By Representative Colton:

H. B. 915, A BILL TO BE ENTITLED AN ACT TO ASSURE THAT IF THE WESTERN RESIDENCE OF THE GOVERNOR IN ASHEVILLE IS DAMAGED OR DESTROYED, IT WILL BE REPAIRED, is referred to the Committee on State Properties.

By Representatives Seymour, Adams, Barnes, Beall, Beard, Bowen, Brennan, Church, Colton, Cook, N. J. Crawford, Easterling, Edwards, Enloe, Bob Etheridge, Evans, Fletcher, Fussell, Greenwood, Grimsley, Hayden, Holt, Hunter, James, Jarrell, Keesee, Kennedy, Lambeth, Lancaster, Mauney, Owens, Rabon, Tennille, and Thomas:

H. B. 916, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE GOVERNOR'S MANAGEMENT COUNCIL, is referred to the Committee on State Government.

By Representatives Grimsley, Allran, Anderson, Beam, Bumgardner, Burnley, Childress, Coble, J. W. Crawford, Edwards, Enloe, Bob Etheridge, Fussell, Gillam, Gist, Hasty, Hightower, Holmes, C. Hughes, Jarrell, Jordan, Keesee, McAlister, Mauney, Poovey, Slaughter, Varner, Watkins, Womble, and C. Woodard:

H. B. 917, A BILL TO BE ENTITLED AN ACT TO INCREASE THE LEGISLATIVE SUPPLEMENTAL TUITION GRANT, is referred to the Committee on Appropriations.

By Representatives Evans, Chapin, and James:

H. B. 918, A BILL TO BE ENTITLED AN ACT TO MAKE INJURING LAW ENFORCEMENT AGENCY ANIMALS A FELONY, is referred to the Committee on Law Enforcement.

By Representatives Lilley, Beall, Holt, and Jordan:

H. B. 919, A BILL TO BE ENTITLED AN ACT TO CHANGE THE METHOD OF DETERMINING THE AMOUNT DUE UNDER THE SOFT DRINK DISPENSER TAX, is referred to the Committee on Finance.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H. B. 210, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSIONER OF MOTOR VEHICLES TO COLLECT A FEE TO COVER THE

COSTS OF APPROVING EQUIPMENT FOR USE ON MOTOR VEHICLES, is returned for concurrence in Senate amendment and is placed on the Calendar for April 25, 1983.

H. B. 331, A BILL TO BE ENTITLED AN ACT TO CHANGE THE ELIGIBILITY FOR APPOINTMENT OF COUNSEL FOR INDIGENTS FOR REHEARINGS PURSUANT TO CHAPTER 122 OF THE GENERAL STATUTES, is returned for concurrence in Senate amendment and is placed on the Calendar for April 25, 1983.

H. B. 449, A BILL TO BE ENTITLED AN ACT TO PERMIT LOCAL GOVERNMENTS TO DISPOSE OF PROPERTY AND LIMIT THE USES THAT MAY BE MADE OF THE PROPERTY, is returned for concurrence in Senate amendment and is placed on the Calendar for April 25, 1983.

H. B. 486, A BILL TO BE ENTITLED AN ACT TO ALLOW CABARRUS COUNTY TO ESTABLISH VOTING PRECINCTS WITHOUT REGARD TO TOWNSHIP BOUNDARIES, is returned for concurrence in Senate amendment and is placed on the Calendar for April 25, 1983.

S. B. 348, A BILL TO BE ENTITLED AN ACT TO ALLOW SURRY COUNTY TO NAME AND ASSIGN STREET NUMBERS TO PRIVATE ROADS IN UNINCORPORATED AREAS, is read the first time and is referred to the Committee on Local Government No. 1.

S. B. 185, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 20-118 PERTAINING TO WEIGHT OF VEHICLES AND LOADS, is read the first time and is referred to the Committee on Agriculture.

S. B. 271, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 113-229 RELATING TO PERMITS, APPEALS, AND HEARINGS REGARDING DREDGING AND FILLING, is read the first time and is referred to the Committee on Natural and Economic Resources.

CALENDAR

Action is taken on the following:

Committee Substitute for H. B. 18, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM AMOUNT OF THE BOND REQUIRED OF DISTRIBUTORS OF MOTOR FUEL AND SUPPLIERS OF SPECIAL FUEL, TO REQUIRE PERSONS WHO ARE BOTH DISTRIBUTORS AND SUPPLIERS TO FILE A BOND SUFFICIENT TO COVER BOTH LIABILITIES: AND TO IMPOSE PERSONAL LIABILITY UPON RESPONSIBLE CORPORATE OFFICERS.

On motion of Representative Lilley, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 630, A BILL TO BE ENTITLED AN ACT RESTRICTING THE USE OF LOCAL SALES AND USE TAX REVENUE IN BURKE COUNTY, passes its third reading, by the following vote and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brubaker, Bumgardner, Chapin, Childress, Church, Colton, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist,

Greenwood, Grimsley, Hackney, Hauser, Hayden, Holmes, Holt, Hudson, C. Hughes, Hunt, Hunter, Huskins, Jeralds, Jones, Jordan, Keesee, Kennedy, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 98.

Voting in the negative: Representatives Brown, J. Hughes, Lacey, and Robinson — 4.

Excused absences: Representatives Ballance, Burnley, Cochrane, Evans, Hasty, Helms, James, Jarrell, and Owens — 9.

H. B. 570, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF RALEIGH, CONCERNING RESERVATION OF SITES AND CONCERNING STREET CONSTRUCTION.

Representative Musselwhite requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Colton, Cook, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Greenwood, Grimsley, Hackney, Hauser, Hayden, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Nash, Nesbitt, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 101.

Voting in the negative: None.

Excused absences: Representatives Ballance, Burnley, Cochrane, Evans, Hasty, Helms, James, Jarrell, and Owens — 9.

Excused votes: Representative Musselwhite.

Committee Substitute for H. B. 291, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE NEW HANOVER COUNTY BOARD OF COMMISSIONERS SHALL BE ELECTED FROM DISTRICTS AND ONLY THE QUALIFIED VOTERS OF THE DISTRICT SHALL VOTE FOR THAT DISTRICT SEAT, AND TO EXPAND THE BOARD TO SEVEN SEATS, SUBJECT TO A REFERENDUM, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 292, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE WILMINGTON CITY COUNCIL SHALL BE ELECTED FROM DISTRICTS AND ONLY THE QUALIFIED VOTERS OF THE DISTRICT SHALL VOTE FOR THAT DISTRICT SEAT; AND TO CHANGE THE FORM OF

ELECTION TO PARTISAN; SUBJECT TO REFERENDUM, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 647, A BILL TO BE ENTITLED AN ACT REGARDING DISCOUNTS FOR PAYMENTS OF PROPERTY TAX IN SURRY COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 823, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM CERTAIN ROADS IN CAMDEN COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 255, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 74C, THE PRIVATE PROTECTIVE SERVICES ACT, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Coble, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hauser, Hayden, Holmes, Holt, Hudson, C. Hughes, J. Hughes. Hunt, Hunter, Huskins, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Payne, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 106.

Voting in the negative: None.

Excused absences: Representatives Ballance, Burnley, Cochrane, Evans, Hasty, Helms, James, Jarrell, and Owens — 9.

Committee Substitute for H. B. 604, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTES CONCERNING VARIOUS BOARDS AND COMMISSIONS IN THE DEPARTMENT OF CORRECTION, passes its second reading, by electronic vote (101-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 784, A BILL TO BE ENTITLED AN ACT TO AMEND THE BEACH ACCESS PROGRAM RELATING TO LAND ACQUISITION, passes its second reading, by electronic vote (100-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S. B. 245, A BILL TO BE ENTITLED AN ACT TO AMEND ADMINISTRATIVE PROVISIONS OF THE MARINE FISHERIES ACT TO MAKE A TECHNICAL CHANGE, passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 246, A BILL TO BE ENTITLED AN ACT TO AMEND G.S. CHAPTER 143, ARTICLE 38 SO AS TO ELIMINATE OUTMODED PROVISIONS CONCERNING THE STATE STREAM SANITATION COMMITTEE AND THE BOARD OF WATER RESOURCES, AND AN OBSOLETE REFERENCE TO THE SAND DUNE LAW, passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

H. B. 808, A BILL TO BE ENTITLED AN ACT TO EXCLUDE NEW EMPLOYEES OF CERTAIN LICENSING AND EXAMINING BOARDS, EMPLOYEE AND TEACHER ASSOCIATIONS, AND PRIVATE NOT-FOR-PROFIT CORPORATIONS FROM THE MEMBERSHIP OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM OF NORTH CAROLINA, passes its second reading by electronic vote (98-0).

On motion of Representative Lancaster, third reading of the bill is postponed until April 25, 1983.

H. B. 527, A BILL TO BE ENTITLED AN ACT MAKING HONORABLE DISCHARGE FROM THE MILITARY A MITIGATING FACTOR UNDER THE FAIR SENTENCING ACT, passes its second reading, by electronic vote (101-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. J. R. 410, A JOINT RESOLUTION MEMORIALIZING CONGRESS TO ASSURE THAT FEDERAL LANDS CURRENTLY DESIGNATED AS UNITED STATES FOREST AND PARK LANDS IN NORTH CAROLINA REMAIN IN PUBLIC OWNERSHIP.

H. B. 518, AN ACT TO AMEND THE AVERAGE COST BASIS FORMULA THE CITY OF RALEIGH MAY USE TO ASSESS THE COST OF EXTENDING WATER AND SEWER LINES.

H. B. 525, AN ACT TO PROVIDE FOR A CHANGE IN THE MANNER OF SELECTION OF THE WASHINGTON CITY BOARD OF EDUCATION, SUBJECT TO A REFERENDUM.

H. B. 572, AN ACT TO PROHIBIT HUNTING FROM ROADS IN PART OF PERQUIMANS COUNTY.

S. B. 263, AN ACT TO AMEND CHAPTER 53 OF THE GENERAL STATUTES OF NORTH CAROLINA RELATING TO BANKS.

S. B. 55, AN ACT TO SET FEE LIMITS FOR THE BOARD OF NURSING HOME ADMINISTRATORS.

S. B. 126, AN ACT TO AMEND THE PRESIDENTIAL PREFERENCE PRIMARY ACT TO ALLOW CHOOSING OF AN ALLOCATION FORMULA WHICH REFLECTS THE DIVISION OF VOTES BUT DOES NOT REQUIRE EXACT PROPORTIONAL REPRESENTATION.

S. B. 169, AN ACT TO REVISE PROCEDURES OF THE BOARD OF PODIATRY EXAMINERS.

S. B. 173, AN ACT TO PROVIDE THAT COUNTIES WHICH MAINTAIN VOTER RECORDS ON ELECTRONIC DATA PROCESSING EQUIPMENT PROVIDE DISCS OR TAPES TO STATE PARTIES ON THE SAME SCHEDULE AS LISTS TO COUNTY PARTIES.

H. B. 400, AN ACT TO RESTRICT THE UNITED STATES GOVERNMENT'S ABILITY TO FORCE MECKLENBURG COUNTY TO HOUSE FEDERAL PRISONERS IN THE MECKLENBURG COUNTY JAIL WITHOUT ADEQUATE FINANCIAL COMPENSATION AND SPACE CONSIDERATION.

On motion of Representative Hunt, seconded by Representative Slaughter, the House adjourns to reconvene Monday, April 25, 1983 at 8:00 p.m.

SEVENTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Monday, April 25, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Beard.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of April 22 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Black, Burnley, Church, DeVane, Helms, Gentry, Owens, and C. Woodard for today.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Economos:

H. B. 920, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF CORRECTION TO IDENTIFY FORMER MENTAL HEALTH PATIENTS ENTERING THE CORRECTIONAL SYSTEM, is referred to the Committee on Corrections.

By Representative Hunter:

H. B. 921, A BILL TO BE ENTITLED AN ACT MAKING BIGAMY A MISDEMEANOR, is referred to the Committee on Law Enforcement.

By Representative Hunter:

H. B. 922, A BILL TO BE ENTITLED AN ACT TO MAKE WITNESS INTIMIDATION A FELONY, is referred to the Committee on Law Enforcement.

By Representatives C. Hughes, Adams, Allran, Beall, Blue, Brawley, Brown, Brubaker, Childress, Coble, Cook, J. W. Crawford, N. J. Crawford, Economos, Bob Etheridge, Fletcher, Foster, Fulcher, Gentry, Gillam, Grimsley, Hauser, Holmes, Holt, Hudson, J.

Hughes, Huskins, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lee, Ligon, Lilley, Locks, Lutz, Mauney, Miller, Murphy, Musselwhite, Payne, Poovey, Rabon, Redding, Rhodes, Robinson, Seymour, Spoon, Stamey, Tennille, Thomas, Tyndall, Varner, Watkins, and Womble:

H. B. 923, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCOME TAX CREDIT TO THOSE WHO PROVIDE HOME CARE FOR ELDERLY INDIVIDUALS WHO WOULD OTHERWISE BE INSTITUTIONALIZED, is referred to the Committee on Aging.

By Representatives Seymour and Miller:

H. B. 924, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 58-79 (a) (12) REGARDING LIFE INSURANCE COMPANY INVESTMENTS IN COMPUTER SYSTEMS, is referred to the Committee on Insurance.

By Representatives Seymour and Miller:

H. B. 925, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 58-43 RELATING TO NONRESIDENT AGENTS, is referred to the Committee on Insurance.

By Representatives Seymour and Miller:

H. B. 926, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 58-40(a) RELATING TO LICENSING OF INSURANCE AGENTS, is referred to the Committee on Insurance.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for S. B. 231, A BILL TO BE ENTITLED AN ACT TO ALLOW THE RUTHERFORD COUNTY BOARD OF COMMISSIONERS TO ESTABLISH A COUNTY POLICE FORCE, is read the first time and is referred to the Committee on Local Government No. 1.

S. J. R. 258, A JOINT RESOLUTION AUTHORIZING CONTINUATION OF THE JOINT SPECIAL COMMITTEE TO REVIEW THE DEPARTMENT OF TRANSPORTATION, is read the first time and is referred to the Committee on Appropriations.

S. J. R. 260, A JOINT RESOLUTION DESIGNATING WILMINGTON AS AN INTERNATIONAL CITY, is read the first time and is referred to the Committee on Rules and Operation of the House.

S. B. 349, A BILL TO BE ENTITLED AN ACT TO AMEND THE ENABLING ACT OF THE GREENSBORO-HIGH POINT AIRPORT AUTHORITY, is read the first time and is referred to the Committee on Local Government No. 2.

Senate Committee Substitute for H. B. 506, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF SHELBY TO ESTABLISH, OPERATE AND MAINTAIN A PUBLIC MARKET, is returned for concurrence in Senate committee substitute and is placed on the Calendar for April 26, 1983.

H. B. 811, A BILL TO BE ENTITLED AN ACT TO EXCLUDE CERTAIN TERRITORY FROM THE PROPOSED CITY OF KANNAPOLIS IF ANNEXED BY THE CITY OF CONCORD, is returned for concurrence in Senate amendment and is placed on the Calendar for April 26, 1983.

CALENDAR

Action is taken on the following:

H. B. 486, A BILL TO BE ENTITLED AN ACT TO ALLOW CABARRUS COUNTY TO ESTABLISH VOTING PRECINCTS WITHOUT REGARD TO TOWNSHIP BOUNDARIES.

On motion of Representative Quinn, the House concurs in the Senate amendment, which changes the title, and the bill is ordered enrolled.

H. B. 210, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSIONER OF MOTOR VEHICLES TO COLLECT A FEE TO COVER THE COSTS OF APPROVING EQUIPMENT FOR USE ON MOTOR VEHICLES.

On motion of Representative Stamey, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 449, A BILL TO BE ENTITLED AN ACT TO PERMIT LOCAL GOVERNMENTS TO DISPOSE OF PROPERTY AND LIMIT THE USES THAT MAY BE MADE OF THE PROPERTY.

On motion of Representative Hunter, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 331, A BILL TO BE ENTITLED AN ACT TO CHANGE THE ELIGIBILITY FOR APPOINTMENT OF COUNSEL FOR INDIGENTS FOR REHEARINGS PURSUANT TO CHAPTER 122 OF THE GENERAL STATUTES.

On motion of Representative Hackney, the House does not concur in the Senate amendment. A conference committee is requested and the Senate is so notified by Special Message.

Committee Substitute for H. B. 616, A BILL TO BE ENTITLED AN ACT REGARDING RETENTION AND DESTRUCTION OF LIBRARY BOOKS IN DARE COUNTY.

Representative Evans offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 177, A BILL TO BE ENTITLED AN ACT PROVIDING COMPENSATION FOR INNOCENT VICTIMS OF CRIME.

On motion of Representative Watkins, Committee Amendment No. 1 is adopted.

Representative Brawley offers Amendment No. 2 which fails of adoption by electronic vote (21-87).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, Diamont, Easterling,

Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Payne, Pool, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, and Wright — 108.

Voting in the negative: Representatives Allran and Poovey — 2.

Excused absences: Representatives Black, Burnley, Church, DeVane, Gentry, Helms, Owens, and C. Woodard — 8.

H. B. 808, A BILL TO BE ENTITLED AN ACT TO EXCLUDE NEW EMPLOYEES OF CERTAIN LICENSING AND EXAMINING BOARDS, EMPLOYEE AND TEACHER ASSOCIATIONS, AND PRIVATE NOT-FOR-PROFIT CORPORATIONS FROM THE MEMBERSHIP OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM OF NORTH CAROLINA, passes its third reading, by electronic vote (108-1), and is ordered sent to the Senate.

Committee Substitute for H.B. 723, A BILL TO BE ENTITLED AN ACT TO SPECIFY WHEN A PROCESSING FEE MAY BE CHARGED FOR CHECKS SENT BY MAIL AND WHEN A COLLECTION AGENCY MAY COLLECT A PROCESSING FEE FOR RETURNED CHECKS, passes its second reading, by electronic vote (103-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 53, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS CONCERNING THE ADVISORY BUDGET COMMISSION AND OTHER BOARDS TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE ON SEPARATION OF POWERS, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 194, A BILL TO BE ENTITLED AN ACT TO AMEND THE POWER TO CONFER LAW ENFORCEMENT POWERS ON SPECIAL CONSERVATION OFFICERS, passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 503, A BILL TO BE ENTITLED AN ACT SETTING THE DATE FOR VALUATION OF PROPERTY DIVIDED UNDER EQUITABLE DISTRIBUTION.

Representative Slaughter calls the previous question on the passage of the bill and the call is sustained by electronic vote (106-2).

The bill passes its second reading, by electronic vote (106-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. J. R. 417, A JOINT RESOLUTION MEMORIALIZING THE LIFE AND WORK OF HARDY TALTON, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate.

H. B. 907, A BILL TO BE ENTITLED AN ACT TO SET A CONVENING DATE FOR THE 1985 SESSION OF THE GENERAL ASSEMBLY.

On motion of Representative Hunt, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 780, A BILL TO BE ENTITLED AN ACT TO IMPROVE THE ENFORCEMENT OF DAY-CARE LICENSING, passes its second reading, by electronic vote (97-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 307, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE USE OF LOCAL OR FEDERAL FUNDS TO PURCHASE REAL PROPERTY BY THE AREA MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE AUTHORITIES, passes its second reading, by electronic vote (99-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 18, AN ACT TO INCREASE THE MAXIMUM AMOUNT OF THE BOND REQUIRED OF DISTRIBUTORS OF MOTOR FUEL AND SUPPLIERS OF SPECIAL FUEL, TO REQUIRE PERSONS WHO ARE BOTH DISTRIBUTORS AND SUPPLIERS TO FILE A BOND SUFFICIENT TO COVER BOTH LIABILITIES: AND TO IMPOSE PERSONAL LIABILITY UPON RESPONSIBLE CORPORATE OFFICERS.

S. B. 245, AN ACT TO AMEND ADMINISTRATIVE PROVISIONS OF THE MARINE FISHERIES ACT TO MAKE A TECHNICAL CHANGE.

S. B. 246, AN ACT TO AMEND G. S. CHAPTER 143, ARTICLE 38 SO AS TO ELIMINATE OUTMODED PROVISIONS CONCERNING THE STATE STREAM SANITATION COMMITTEE AND THE BOARD OF WATER RESOURCES, AND AN OBSOLETE REFERENCE TO THE SAND DUNE LAW.

On motion of Representative Hunt, seconded by Representative Varner, the House adjourns to reconvene April 26, 1983 at 1:30 p.m.

SEVENTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, April 26, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Foster.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of April 25 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Burnley, Helms, and Owens for today.

REPORT OF COMMITTEES

The following reports from standing committes are presented:

By Representative Church for the Committee on State Government:

H. B. 370, A BILL TO BE ENTITLED AN ACT TO PROVIDE A LICENSING PROGRAM FOR HOSPICES, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for April 28, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 815, A BILL TO BE ENTITLED AN ACT TO PERMIT THE APPOINTMENT OF TWO AT-LARGE MEMBERS OF THE AERONAUTICS COUNCIL, with a favorable report.

By Representative Foster for the Committee on Education:

H. B. 625, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ASHEVILLE CITY BOARD OF EDUCATION TO PAY ITS TEN-MONTH EMPLOYEES ON OR BEFORE THE TENTH DAY OF EACH MONTH, with a favorable report.

Committee Substitute for S. B. 127, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING AND PROCEDURAL CHANGES TO THE LAW REGARDING EDUCATION FOR CHILDREN WITH SPECIAL NEEDS, with a favorable report.

By Representative James for the Committee on Agriculture:

S. B. 220, A BILL TO BE ENTITLED AN ACT TO REPEAL THE MARKETING OF FARMERS STOCK PEANUTS ACT, THE NORTH CAROLINA MEAT GRADING LAW, AND AN UNCONSTITUTIONAL PROVISION OF THE MARKETING AND BRANDING FARM PRODUCTS ACT, with a favorable report.

S. B. 221, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 49 OF CHAPTER 106, RELATING TO HATCHERIES AND CHICK DEALERS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

By Representative Wicker for the Committee on Law Enforcement:

Committee Substitute for H. B. 530, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ESTABLISHMENT OF A RESERVE DEPUTY PROGRAM FOR

THE SHERIFF OF GUILFORD COUNTY AND TO MAKE THE NORTH CAROLINA WORKMEN'S COMPENSATION ACT APPLICABLE TO MEMBERS OF THE RESERVE DEPUTY PROGRAM, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for April 28, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Hunt for the Committee on Rules and Operation of the House:

H. J. R. 660, A JOINT RESOLUTION WITH RESPECT TO THE WORK OF THE COMMISSION ON THE FUTURE OF NORTH CAROLINA, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Beall and Speaker Ramsey:

H. B. 927, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE CHEROKEE HISTORICAL ASSOCIATION, INC., FOR THE OUTDOOR DRAMA, "UNTO THESE HILLS", is referred to the Committee on Cultural Resources.

By Representatives Seymour, Beard, Brannan, Chapin, Coble, Bob Etheridge, Evans, Fussell, Gillam, Grimsley, Hackney, Hauser, Hightower, James, Jarrell, Keesee, Locks, Lutz, Murphy, Musselwhite, and Stamey:

H. B. 928, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ASSISTANT APICULTURIST FOR THE DEPARTMENT OF ENTOMOLOGY AT NORTH CAROLINA STATE UNIVERSITY, is referred to the Committee on Appropriations.

By Representatives Adams, Blue, Cook, Fussell, Mavretic, Musselwhite, Seymour, and Stamey:

H. B. 929, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES TO RENOVATE THE OLD ART MUSEUM BUILDING, 107 EAST MORGAN STREET, AS THE INTERPRETATION/EDUCATION CENTER OF THE NORTH CAROLINA MUSEUM OF HISTORY, is referred to the Committee on Cultural Resources.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for H. B. 597, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF WEDDINGTON IN UNION COUNTY, is returned for concurrence in Senate committee substitute and is placed on the Calendar for April 27, 1983.

Committee Substitute for S. B. 37, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A COMPUTER COMMISSION AND TO GIVE THIS COMMISSION AUTHORITY OVER INFORMATION PROCESSING, is read the first time and is referred to the Committee on State Government.

S. B. 350, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT DAY-CARE FACILITIES OPERATED BY OR UNDER THE SUPERVISION OF CHURCHES, SYNAGOGUES, OR SCHOOLS OF RELIGIOUS CHARTER SHALL NOT BE REQUIRED TO OBTAIN LICENSES BUT SHALL BE SUBJECT TO DAY-CARE

STANDARDS FOR HEALTH AND SAFETY, is read the first tiem and is referred to the Committee on Judiciary No. 2.

S. B. 366, A BILL TO BE ENTITLED AN ACT TO RAISE THE MAXIMUM INTEREST RATE ON LOANS FROM THE STATE LITERARY FUND, is read the first time and is referred to the Committee on Education.

S. B. 374, A BILL TO BE ENTITLED AN ACT FOR A PROGRAM FOR BASIC AND VOCATIONAL SKILLS AT GRADES SEVEN AND EIGHT, is read the first time and is referred to the Committee on Education.

H. B. 427, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONDITIONS OF AN ASSESSMENT ON YAM PRODUCERS WHICH MAY BE AUTHORIZED IN A PRODUCERS' REFERENDUM, is returned for concurrence in Senate amendment and is placed on the Calendar for April 27, 1983.

S. B. 256, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE QUALIFIED VOTERS OF THE TOWN OF BEECH MOUNTAIN TO DETERMINE WHETHER BEER AND WINE MAY BE SOLD IN THAT TOWN, is read the first time and is referred to the Committee on Alcoholic Beverage Control.

The Speaker announces the appointment of Representatives Hackney, Chairman; Barnes and DeVane as conferees on H. B. 331, A BILL TO BE ENTITLED AN ACT TO CHANGE THE ELIGIBILITY FOR APPOINTMENT OF COUNSEL FOR INDIGENTS FOR REHEARINGS PURSUANT TO CHAPTER 122 OF THE GENERAL STATUTES, and the Senate is so notified by Special Message.

On motion of Representative Bob Etheridge, H. B. 909, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE V OF THE CONSTITUTION OF NORTH CAROLINA TO AUTHORIZE THE GENERAL ASSEMBLY TO CREATE AN AGENCY TO ISSUE REVENUE BONDS TO FINANCE AGRICULTURAL FACILITIES PROJECTS, SUBJECT TO THE APPROVAL OF THE ELECTORATE, is withdrawn from the Committee on Finance and is re-referred to the Committee on Constitutional Amendments.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for H. B. 506, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CITY OF SHELBY TO ESTABLISH, OPERATE AND MAINTAIN A PUBLIC MARKET.

On motion of Representative Lutz, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

H. B. 811, A BILL TO BE ENTITLED AN ACT TO EXCLUDE CERTAIN TERRITORY FROM THE PROPOSED CITY OF KANNAPOLIS IF ANNEXED BY THE CITY OF CONCORD.

On motion of Representative Quinn, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 560, A BILL TO BE ENTITLED AN ACT TO EMPOWER CHOWAN HOSPITAL TO USE ATTACHMENT AND GARNISHMENT PROCEDURES FOR COLLECTING UNPAID BILLS.

Representative Nesbitt withdraws pending Amendment No. 6.

Representative Nesbitt moves that the bill be re-referred to the Committee on Judiciary No. 1.

Representative Nesbitt calls the previous question on the motion.

On motion of Representative James, seconded by Representative Lilley, the motion to call the question is tabled by electronic vote (73-40).

Representative Nesbitt withdraws the motion that the bill be re-referred to the Committee on Judiciary No. 1.

On motion of Representative James, the bill is ordered engrossed and re-referred to the Committee on Rules and Operation of the House.

H. B. 177, A BILL TO BE ENTITLED AN ACT PROVIDING COMPENSATION FOR INNOCENT VICTIMS OF CRIME.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brawley. Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Pool, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 108.

Voting in the negative: Representatives Allran and Poovey — 2.

Excused absences: Representatives Burnley, Helms, and Owens — 3.

Committee Substitute No. 2 for H. B. 186, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 110 OF THE GENERAL STATUTES TO ESTABLISH PROCEDURES FOR THE PROVISION OF NONRECIPIENT SERVICES AS REQUIRED BY FEDERAL LAW, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Clark, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Musselwhite, Nash, Nesbitt, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Robinson, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas,

Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, and C. Woodard — 106.

Voting in the negative: Representatives Brawley, Coble, DeVane, Murphy, Rhodes, Roberts, and Wright — 7.

Excused absences: Representatives Burnley, Helms, and Owens — 3.

H. B. 810, A BILL TO BE ENTITLED AN ACT TO ALLOW THE SPEAKER OF THE HOUSE AND THE PRESIDENT OF THE SENATE TO AUTHORIZE STUDIES BY STANDING COMMITTEES AND TO CREATE AND APPOINT SELECT COMMITTEES OF THE GENERAL ASSEMBLY, AND TO MAKE TECHNICAL AMENDMENTS, passes its second reading, by electronic vote (109-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 210, AN ACT TO AUTHORIZE THE COMMISSIONER OF MOTOR VEHICLES TO COLLECT A FEE TO COVER THE COSTS OF APPROVING EQUIPMENT FOR USE ON MOTOR VEHICLES.

H. B. 449, AN ACT TO PERMIT LOCAL GOVERNMENTS TO DISPOSE OF PROPERTY AND LIMIT THE USES THAT MAY BE MADE OF THE PROPERTY.

H. B. 486, AN ACT TO ALLOW CABARRUS AND STOKES COUNTIES TO ESTABLISH VOTING PRECINCTS WITHOUT REGARD TO TOWNSHIP BOUNDARIES.

On motion of Representative Hunt, seconded by Representative Miller, the House adjourns to reconvene April 27, 1983 at 2:30 p.m.

SEVENTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, April 27, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Berry.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of April 26 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Burnley, Locks, Owens, and Tennille for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative McDowell for the Committee on Corrections:

H. B. 833, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN INTENSIVE PROBATION PROGRAM IN THE DIVISION OF ADULT PROBATION AND PAROLE, with a favorable report.

H. B. 834, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CORRECTION FOR INTENSIVE PROBATION AND PAROLE OFFICERS, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H. B. 836, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CORRECTION FOR ADDITIONAL ADULT PROBATION AND PAROLE OFFICERS, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

By Representative Lilley for the Committee on Local Government No. 1:

H. B. 578, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE WAKE COUNTY ABC BOARD CONSIST OF FIVE MEMBERS, with a favorable report.

H. B. 796, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CHARLOTTE/MECKLENBURG COUNTY SCHOOLS TO EXTEND THE PROBATIONARY PERIOD FOR NONTENURED TEACHERS AND TO ELIMINATE THE REDUCTION IN THE PROBATIONARY PERIOD FOR TEACHERS IT EMPLOYS WHO ALREADY HAVE TENURE IN ANOTHER NORTH CAROLINA SCHOOL SYSTEM, with a favorable report, as amended.

H. B. 858, A BILL TO BE ENTITLED AN ACT TO DELETE NEW HANOVER COUNTY FROM THE PROVISIONS OF THE GENERAL STATUTES RELATING TO VACANCIES ON BOARDS OF COMMISSIONERS IN CERTAIN COUNTIES, with a favorable report.

H. B. 862, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER AND RALATED LAWS OF THE CITY OF WILMINGTON TO CLARIFY PROCEDURES RELATING TO SPECIAL USE DISTRICTS AND SPECIAL USE PERMITS, with a favorable report.

H. B. 863, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON TO REVISE CERTAIN ORDINANCE PROCEDURES, with a favorable report.

H. B. 864, A BILL TO BE ENTITLED AN ACT TO REPEAL PREVIOUS NEW HANOVER COUNTY LOCAL ACTS CONCERNING TAXING AND REGULATION OF PROFESSIONAL BONDSMEN, AND ESTABLISHING A LAW LIBRARY, with a favorable report.

By Representative Seymour for the Committee on Public Utilities:

H. B. 643, A BILL TO BE ENTITLED AN ACT TO AMEND THE DAM SAFETY LAW RELATING TO THE DEFINITION OF THE TERM "DAM", with a favorable report.

By Representative Lancaster for the Committee on Judiciary No. 3:

H. B. 261, A BILL TO BE ENTITLED AN ACT TO DESIGNATE DISTRICT BARS AS SUBDIVISIONS OF THE NORTH CAROLINA STATE BAR AND TO AMEND THE STATUTES RELATING TO THE DISCIPLINING OF ATTORNEYS, with an

unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for April 29, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 293, A BILL TO BE ENTITLED AN ACT TO VALIDATE THE REGISTRATION OF CERTAIN INSTRUMENTS CONTAINING A NOTARIAL JURAT INSTEAD OF AN ACKNOWLEDGEMENT, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for April 29, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 450, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE TESTATORS TO PROVIDE FOR THE CREMATION OF THEIR BODIES AFTER DEATH BY APPROPRIATE TESTAMENTARY DECLARATION IN THEIR LAST WILL AND TESTAMENT, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for April 29, 1983. The original bill is placed on the Unfavorable Calendar.

S. B. 101, A BILL TO BE ENTITLED AN ACT TO MAKE FIRST AND SECOND DEGREE SEX OFFENSES NON-DIVERTIBLE OFFENSES FOR JUVENILE COMPLAINTS, with a favorable report.

By Representative Barker for the Committee on Mental Health:

H. B. 690, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE RETURN OF PATIENTS TO TREATMENT FACILITIES, with a favorable report, as amended.

By Representative Colton for the Committee on Cultural Resources:

H. B. 563, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE SWANSBORO UNDERWATER ARCHAEOLOGICAL PROJECT, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H. B. 577, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE MATCHING FUNDS TO ASSIST IN THE REHABILITATION OF THE CAROLINA THEATER IN ROBESON COUNTY, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H. B. 641, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE DEVELOPMENT OF EDUCATIONAL PROGRAMS AND INTERPRETIVE EXHIBITS AND TO UPGRADE STORAGE FACILITIES AT THE CLEVELAND COUNTY HISTORICAL MUSEUM, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

By Representative Fussell for the Committee on Highway Safety:

Senate Committee Substitute for H. B. 197, A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL BRAKE LIGHTS TO BE RED AND PERMIT OTHER LIGHTS ON THE REAR OF ANY MOTOR VEHICLE TO BE AMBER, YELLOW, OR WHITE, with recommendation that the House concur.

On motion of Representative Fussell, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Fussell, the House concurs in the Senate committee substitute, which changes the title, and the bill is ordered enrolled.

H. B. 444, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SPECIAL LICENSES FOR STREET RODS, with a favorable report.

By Representative Church for the Committee on State Government:

H. B. 685, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA FARMWORKER COMMISSION, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title, and recommendation that the substitute bill be re-referred to the Committee on Appropriations.

The substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

H. B. 702, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA GENERAL STATUTES CREATING THE NORTH CAROLINA HUMAN RELATIONS COUNCIL, with a favorable report, as amended.

By Representative Lutz for the Committee on Local Government No. 2:

H. B. 569, A BILL TO BE ENTITLED AN ACT TO ANNEX A CERTAIN TRACT OF LAND TO THE TOWN OF MURPHY, with a favorable report.

H. B. 574, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF MAIDEN TO MAKE STREET AND SIDEWALK IMPROVEMENTS AND ASSESS THE COST AGAINST ABUTTING PROPERTY OWNERS WITHOUT A PETITION, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for April 29, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 623, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF KING IN STOKES COUNTY, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for April 29, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 636, A BILL TO BE ENTITLED AN ACT TO ALLOW CLAY COUNTY TO DISPOSE OF CERTAIN PROPERTY AT PRIVATE SALE, with a favorable report.

H. B. 637, A BILL TO BE ENTITLED AN ACT OT ALLOW THE COUNTY OF GRAHAM TO EXCHANGE PROPERTY WITH THE UNITED STATES FOREST SERVICE, with a favorable report.

H. B. 638, A BILL TO BE ENTITLED AN ACT TO RAISE THE FORCE ACCOUNT CONSTRUCTION LIMIT FOR MACON COUNTY, with a favorable report.

H. B. 804, A BILL TO BE ENTITLED AN ACT TO AMEND THE SCHOOL BUDGET AND FISCAL CONTROL ACT CONCERNING APPROVAL OF EXPENDITURES SOME OR ALL OF WHICH ARE TO BE PAID IN ENSUING FISCAL YEARS IN BUNCOMBE COUNTY, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for April 29, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 828, A BILL TO BE ENTITLED AN ACT TO LIMIT THE APPLICABILITY OF A PROPOSED SCHOOL SUPPLEMENT TAX IN TRANSYLVANIA COUNTY, with a favorable report.

H. B. 873, A BILL TO BE ENTITLED AN ACT AMENDING G. S. 160A-456 TO CLARIFY THE AUTHORITY OF THE CITY OF DURHAM TO MAKE GRANTS AND LOANS FOR THE ECONOMIC DEVELOPMENT OF BUSINESSES SERVING THE NEEDS OF PERSONS OF LOW AND MODERATE INCOME, with a favorable report.

H. B. 874, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF DURHAM TO COMPLY WITH MINIMUM MINORITY AND/OR WOMEN'S BUSINESS ENTERPRISE PARTICIPATION REQUIREMENTS, with a favorable report.

H. B. 887, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM, BY ADDING PROVISIONS RELATING TO FAIR HOUSING, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Creecy:

H. B. 930, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PLACEMENT OF WARNING SIGNS NEAR LOCATIONS WHERE DRIVER'S LICENSE CHECKPOINTS ARE ESTABLISHED, is referred to the Committee on Highway Safety.

By Representative Diamont:

H. B. 931, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A RECREATIONAL PARK IN PILOT MOUNTAIN, is referred to the Committee on Cultural Resources.

By Representatives Blue and Tennille:

H. B. 932, A BILL TO BE ENTITLED AN ACT TO PROVIDE COURT-ORDERED PARENT PARTICIPATION IN TREATMENT IN CERTAIN JUVENILE CASES, is referred to the Committee on Judiciary No. 3.

By Representative Blue:

H. B. 933, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALTERATION OF A MARRIAGE LICENSE WHEN A PARTY TO THE MARRIAGE LAWFULLY CHANGES HIS OR HER NAME, is referred to the Committee on Judiciary No. 3.

By Representatives Tennille, Childress, Hauser, Kennedy, and Womble:

H. J. R. 934, A JOINT RESOLUTION HONORING THE MEMORY OF THE MEMBERS OF THE GENERAL ASSEMBLY OF 1783 AND OF GOVERNOR ALEXANDER MARTIN, is referred to the Committee on Rules and Operation of the House.

By Representative Miller:

H. B. 935, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA COMMISSION ON SECURITY AND PRIVACY OF COMPUTERIZED CRIMINAL HISTORY RECORD INFORMATION, is referred to the Committee on State Government.

By Representatives Brennan, Easterling, and C. Hughes:

H. B. 936, A BILL TO BE ENTITLED AN ACT TO ALLOW PRIOR SERVICE CREDIT TO MEMBERS OF THE NORTH CAROLINA LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM FOR PRIOR FEDERAL SERVICE, is referred to the Committee on Pensions and Retirement.

By Representatives Tennille, Childress, Hauser, Pulley, and Wicker:

H. B. 937, A BILL TO BE ENTITLED AN ACT TO REQUIRE A SHERIFF TO GIVE NOTICE BEFORE REMOVING AN EVICTED TENANT'S PERSONAL PROPERTY AND TO ALLOW THE SHERIFF TO STORE THIS PROPERTY, is referred to the Committee on Judiciary No. 4.

By Representatives Barbee, Nesbitt, Payne, Pool, Rabon, Rhodes, Slaughter, Wicker, and Wright:

H. R. 938, A HOUSE RESOLUTION AUTHORIZING THE SPEAKER OF THE HOUSE TO APPOINT A SELECT COMMITTEE TO STUDY THE OPERATIONS GOVERNING THE NORTH CAROLINA NATIONAL GUARD, is referred to the Committee on Rules and Operation of the House.

On motion of Representative Barbee, the rules are suspended and the resolution is withdrawn from the Committee on Rules and Operation of the House and placed before the House for immediate consideration.

On motion of Representative Barbee, the resolution is adopted by electronic vote (103-0).

By Representatives Watkins and C. Hughes:

H. B. 939, A BILL TO BE ENTITLED AN ACT TO REVISE G. S. 143-16 RELATING TO AGENCY BUDGETS, is referred to the Committee on State Government.

By Representatives Watkins, Church, and J. W. Crawford:

H. B. 940, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE OLD CASWELL COUNTY COURTHOUSE IN YANCEYVILLE, is referred to the Committee on Cultural Resources.

By Representatives Helms, Anderson, Auman, Barker, Beall, Beam, Beard, Black, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Coble, J. W. Crawford, N. J. Crawford, Creecy, Easterling, Economos, Enloe, Bob Etheridge, Evans, Fenner, Fulcher, Fussell, Gentry, Gillam, Greenwood, Hasty, Hayden, Holmes, Holt, Hudson, C. Hughes, James, Jordan, Keesee, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, McAlister, McDowell, Matthews, Mauney, Mavretic, Nash, Nesbitt, Owens, Payne, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Robinson, Seymour, Slaughter, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Womble, B. Woodard, and Wright:

H. B. 941, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 20 RELATING TO THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW, is referred to the Committee on Small Business.

By Representative Lilley:

H. B. 942, A BILL TO BE ENTITLED AN ACT RELATING TO MUNICIPALITIES AND PROCEDURES FOR THE OPERATION AND FINANCING OF JOINT MUNICIPAL POWER AGENCIES, is referred to the Committee on Public Utilities.

By Representatives Wicker and C. Hughes:

H. B. 943, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE CONTAMINATION OR ADULTERATION OR OTHER INTENTIONAL TAMPERING WITH THE PUBLIC WATER SYSTEM, is referred to the Committee on Water and Air Resources.

By Representatives Wicker and C. Hughes:

H. B. 944, A BILL TO BE ENTITLED AN ACT TO PREVENT HARASSMENT OF JURORS OR FORMER JURORS, is referred to the Committee on Courts and Administration of Justice.

By Representative Wicker:

H. B. 945, A BILL TO BE ENTITLED AN ACT CONCERNING THE REPORTING OF CERTAIN TRANSACTIONS IN UNITED STATES CURRENCY, is referred to the Committee on Finance.

By Representative Wicker:

H. B. 946, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 14-288.8 CONCERNING WEAPONS OF MASS DESTRUCTION, is referred to the Committee on Judiciary No. 2.

By Representative Wicker:

H. B. 947, A BILL TO BE ENTITLED AN ACT CONCERNING THE HARBORING OF INDIVIDUALS KNOWN TO BE THE SUBJECT OF OUTSTANDING WARRANTS FOR ARREST, is referred to the Committee on Judiciary No. 2.

By Representative Wicker:

H. B. 948, A BILL TO BE ENTITLED AN ACT TO MAKE ARMED CRIMINAL ACTION A SEPARATE FELONY, is referred to the Committee on Judiciary No. 2.

By Representative Wicker:

H. B. 949, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 14-269.1 CONCERNING DISPOSITION OF DEADLY WEAPONS, is referred to the Committee on Judiciary No. 2.

By Representative Wicker:

H. B. 950, A BILL TO BE ENTITLED AN ACT TO PROHIBIT POSSESSION OF WEAPONS AND CERTAIN SUBSTANCES ON THE GROUNDS OF ANY CHARITABLE, MENTAL, OR PENAL INSTITUTION, OR LOCAL CONFINEMENT FACILITY, is referred to the Committee on Judiciary No. 2.

By Representative Lilley:

H. B. 951, A BILL TO BE ENTITLED AN ACT TO AMEND AND REORGANIZE CHAPTER 159B OF THE GENERAL STATUTES AND TO CREATE A NEW ARTICLE TO PROVIDE FOR JOINT MUNICIPAL ASSISTANCE AGENCIES AND TO

MAKE TECHNICAL AMENDMENTS TO G. S. 128-1 AND ARTICLE 3 OF CHAPTER 159 OF THE GENERAL STATUTES, is referred to the Committee on Public Utilities.

By Representatives Beall and C. Hughes:

H. B. 952, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE CHEROKEE HISTORICAL ASSOCIATION, INC., FOR CAPITAL IMPROVEMENTS, is referred to the Committee on Cultural Resources.

By Representatives Watkins, Hauser, and C. Hughes:

H. B. 953, A BILL TO BE ENTITLED AN ACT REGARDING FUNDS FOR A COMMUNITY SERVICE ALTERNATIVE PUNISHMENT PROGRAM FOR PERSONS CONVICTED OF DRIVING WHILE IMPAIRED, is referred to the Committee on Appropriations.

By Representative Pulley:

H. B. 954, A BILL TO BE ENTITLED AN ACT TO REGULATE THE PURCHASE OF MUTUAL BURIAL ASSOCIATIONS, is referred to the Committee on Insurance.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
April 27, 1983

Mr. Speaker:

Pursuant to your message that the House of Representatives fails to concur in the Senate amendments to H. B. 331, A BILL TO BE ENTITLED AN ACT TO CHANGE THE ELIGIBILITY FOR APPOINTMENT OF COUNSEL FOR INDIGENTS FOR REHEARINGS PURSUANT TO CHAPTER 122 OF THE GENERAL STATUTES, and requests conferees, the President appoints Senators Edwards of Guilford, Soles and Johnson on the part of the Senate to confer with a like committee on the part of the House to the end that the differences between the two Bodies may be resolved.

Respectfully,
S/ SYLVIA M. FINK
Principal Clerk

MESSAGES FROM THE SENATE

The following are received from the Senate:

S. B. 240, A BILL TO BE ENTITLED AN ACT TO AMEND THE RIGHT TO A NATURAL DEATH ACT, is read the first time and is referred to the Committee on Health.

S. J. R. 340, A JOINT RESOLUTION DIRECTING THE NORTH CAROLINA COURTS COMMISSION TO STUDY THE JUDICIAL DIVISIONS OF THE SUPERIOR COURT DIVISION OF THE GENERAL COURT OF JUSTICE, is read the first time and is referred to the Committee on Rules and Operation of the House.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for H. B. 597, A BILL TO BE ENTITLED AN ACT TO

INCORPORATE THE TOWN OF WEDDINGTON IN UNION COUNTY.

The Speaker rules the Senate committee substitute to be material.

On motion of Representative Hudson, the House concurs in the material Senate committee substitute on its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Bowen, Brannan, Brawley, Brennan, Brubaker, Bumgardner, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, Diamont, Economos, Edwards, Enloe, Bruce Ethridge, Fenner, Fletcher, Foster, Fulcher, Fussell, Gist, Grimsley, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lambeth, Lancaster, Lee, Ligon, Lilley, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Nash, Nesbitt, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Seymour, Slaughter, Spaulding, Stamey, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, and C. Woodard — 96.

Voting in the negative: None.

Excused absences: Representatives Burnley, Locks, Owens, and Tennille — 4.

H. B. 427, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CONDITIONS OF AN ASSESSMENT ON YAM PRODUCERS WHICH MAY BE AUTHORIZED IN A PRODUCERS' REFERENDUM.

On motion of Representative James, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 625, A BILL TO BE ENTITLED AN ACT TO ALLOW THE ASHEVILLE CITY BOARD OF EDUCATION TO PAY ITS TEN-MONTH EMPLOYEES ON OR BEFORE THE TENTH DAY OF EACH MONTH, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute No. 2 for H. B. 186, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 110 OF THE GENERAL STATUTES TO ESTABLISH PROCEDURES FOR THE PROVISION OF NONRECIPIENT SERVICES AS REQUIRED BY FEDERAL LAW.

Representative Lancaster offers Amendment No. 1 which is adopted by electronic vote (103-0).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Allran, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beard, Berry, Black, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Clark, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, Hunt, Hunter, Huskins, James,

Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Musselwhite, Nash, Nesbitt, Poovey, Pulley, Quinn, Redding, Roberts, Robinson, Slaughter, Spaulding, Spoon, Stamey, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 101.

Voting in the negative: Representative Rhodes.

Excused absences: Representatives Burnley, Locks, Owens, and Tennille — 4.

H. B. 551, A BILL TO BE ENTITLED AN ACT AMENDING THE COUNTY HOSPITAL ACT TO AUTHORIZE A COUNTY HOSPITAL TO ESTABLISH AND OPERATE BRANCH FACILITIES IN OTHER COUNTIES.

The bill, as amended, passes its second reading by electronic vote (107-0).

Representative Evans objects to the third reading. The bill remains on the Calendar.

H. B. 815, A BILL TO BE ENTITLED AN ACT TO PERMIT THE APPOINTMENT OF TWO AT-LARGE MEMBERS OF THE AERONAUTICS COUNCIL, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for S. B. 127, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING AND PROCEDURAL CHANGES TO THE LAW REGARDING EDUCATION FOR CHILDREN WITH SPECIAL NEEDS, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 220, A BILL TO BE ENTITLED AN ACT TO REPEAL THE MARKETING OF FARMERS STOCK PEANUTS ACT, THE NORTH CAROLINA MEAT GRADING LAW, AND AN UNCONSTITUTIONAL PROVISION OF THE MARKETING AND BRANDING FARM PRODUCTS ACT, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

H. J. R. 660, A JOINT RESOLUTION WITH RESPECT TO THE WORK OF THE COMMISSION ON THE FUTURE OF NORTH CAROLINA, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 506, AN ACT TO AUTHORIZE THE CITY OF SHELBY TO ESTABLISH, OPERATE AND MAINTAIN A PUBLIC MARKET.

H. B. 811, AN ACT TO EXCLUDE CERTAIN TERRITORY FROM THE PROPOSED CITY OF KANNAPOLIS IF ANNEXED BY THE CITY OF CONCORD.

H. J. R. 417, A JOINT RESOLUTION MEMORIALIZING THE LIFE AND WORK OF HARDY TALTON.

On motion of Representative Hunt, seconded by Representative Holt, the House adjourns to reconvene April 28, 1983 at 1:30 p.m.

SEVENTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Thursday, April 28, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Helms.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of April 27 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Beard, Brennan, Burnley, Easterling, Gillam, Hughes, Lee, and Owens for today.

The Speaker recognizes Representative Barbee who is granted permission to approach the Well of the House. Representative Barbee introduces Al Landry, Baton Rouge, Louisiana, representing the Lions Club International and its "Sight" program. Mr. Landry makes brief remarks regarding his 3,000 mile run promoting the program. He is presented an Honor Certificate in recognition of his efforts.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Wright for the Committee on Judiciary No. 2:

H. B. 263, A BILL TO BE ENTITLED AN ACT TO REQUIRE A JUDICIAL OFFICIAL TO STATE THE REASON(S) FOR REQUIRING A SECURED BAIL BOND AS A CONDITION OF PRETRIAL RELEASE, with a favorable report, as amended.

H. B. 301, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 2B OF CHAPTER 45 TO MAKE THE JURISDICTION OF THE DISTRICT COURT CONSISTENT WITH THAT PROVIDED FOR IN ARTICLE 37 OF CHAPTER 1 AND ARTICLE 2A OF CHAPTER 45 AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title, and recommendation that the bill be re-referred to the Committee on Local Government No. 1.

The substitute bill is re-referred to the Committee on Local Government No. 1. The original bill is placed on the Unfavorable Calendar.

H. B. 517, A BILL TO BE ENTITLED AN ACT TO REVISE THE STATUTES RELATING TO THE STATE AUDITOR, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for May 2, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Colton for the Committee on Cultural Resources:

H. B. 615, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST THE RESTORATION OF THE CHICAMACOMICO COAST GUARD STATION AS A PUBLIC MUSEUM, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title, and recommendation that the substitute bill be re-referred to the Committee on Appropriations.

The substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Bumgardner for the Committee on Transportation.

H. B. 764, A BILL TO BE ENTITLED AN ACT TO AMEND THE LIMITATIONS ON STATE FINANCIAL AID TO AVIATION, with a favorable report, as amended.

H. B. 773, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO LEASE THE RIGHT-OF-WAY OF INTERSTATE HIGHWAY 40 TO THE CITY OF WINSTON-SALEM FOR A PARKING FACILITY, with a favorable report.

By Representative Quinn for the Committee on Finance:

H. B. 919, A BILL TO BE ENTITLED AN ACT TO CHANGE THE METHOD OF DETERMINING THE AMOUNT DUE UNDER THE SOFT DRINK DISPENSER TAX, with a favorable report.

By Representative Bruce Ethridge for the Committee on Natural and Economic Resources:

H. B. 230, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCOME TAX CREDIT FOR CERTAIN REAL PROPERTY DONATED TO THE STATE, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title, and recommendation that the substitute bill be re-referred to the Committee on Finance.

The substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

S. B. 271, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 113-229 RELATING TO PERMITS, APPEALS, AND HEARINGS REGARDING DREDGING AND FILLING, with a favorable report.

By Representative Lambeth for the Committee on Wildlife Resources:

H. B. 883, A BILL TO BE ENTITLED AN ACT TO REGULATE THE USE OF FIREARMS ON PUBLIC HIGHWAYS IN HOKE COUNTY, with a favorable report, as amended.

By Representative Evans for the Committee on Banks and Thrift Institutions:

H. B. 251, A BILL TO BE ENTITLED AN ACT TO REPEAL THE SUNSET PROVISION IN THE 1981 ACT CHANGING THE RATE OF INTEREST IN THE CONSUMER FINANCE ACT, with an indefinite postponement report.

H. B. 661, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 53 OF THE GENERAL STATUTES OF NORTH CAROLINA RELATING TO BANKS, with an indefinite postponement report.

By Representative Miller for the Committee on Judiciary No. 1:

Committee Substitute No. 1 for H. B. 345, A BILL TO BE ENTITLED AN ACT TO ALLOW WATER AND SEWER AUTHORITIES TO DEFEND OFFICERS, EMPLOYEES, AND GOVERNING BOARD MEMBERS AND PAY ANY OR ALL OF A CLAIM MADE OR CIVIL JUDGMENT ENTERED AGAINST ANY OF THEM, with an unfavorable report as to Committee Substitute No. 1, favorable as to Committee Substitute No. 2.

Committee Substitute Bill No. 2 is placed on the Calendar for May 2, 1983. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Rabon for the Committee on Manufacturers and Labor:

H. B. 368, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 97 OF THE GENERAL STATUTES TO DEFINE INJURY BY ACCIDENT FOR WORKERS' COMPENSATION, with an unfavorable report as to bill, favorable as to committee substitute bill, and recommendation that the substitute bill be re-referred to the Committee on Appropriations.

The substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Hunt for the Committee on Rules and Operation of the House:

H. J. R. 904, A JOINT RESOLUTION TO PERMIT THE CONTINUANCE OF THE WORK OF THE LEGISLATIVE RESEARCH COMMISSION'S STUDY ON THE ECONOMIC, SOCIAL AND LEGAL PROBLEMS AND NEEDS OF WOMEN AS BEGUN UNDER RESOLUTION 61 OF THE 1981 SESSION, with a favorable report, as amended, and recommendation that the resolution be re-referred to the Committee on Appropriations.

On motion of Representative Hunt, the amendment, which changes the title, is adopted and the resolution is ordered engrossed and re-referred to the Committee on Appropriations.

H. J. R. 898, A JOINT RESOLUTION REQUESTING THAT THE LEGISLATIVE RESEARCH COMMISSION CONTINUE ITS STUDY OF COLLEGE SCIENCE EQUIPMENT, with a favorable report and recommendation that the resolution be re-referred to the Committee on Appropriations.

H. J. R. 824, A JOINT RESOLUTION REQUESTING THE NORTH CAROLINA COURTS COMMISSION TO STUDY THE CURRENT LAW AND PROCEDURES FOR APPOINTMENT OF MAGISTRATES AND TO REPORT ITS RECOMMENDATIONS TO THE 1984 SESSION OF THE GENERAL ASSEMBLY, with a favorable report.

H. J. R. 783, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE SALARIES AND FRINGE BENEFITS OF STATE EMPLOYEES TO DETERMINE WHETHER THEY ARE COMPARABLE TO SALARIES AND FRINGE BENEFITS IN THE PRIVATE SECTOR, with a favorable report and recommendation that the resolution be re-referred to the Committee on Appropriations.

H. B. 524, A BILL TO BE ENTITLED AN ACT TO REPEAL ALL ADMINISTRATIVE RULES ADOPTED UNDER THE A. P. A. AND REQUIRE THEIR ADOPTION BY THE GENERAL ASSEMBLY, with a favorable report.

H. B. 367, A BILL TO BE ENTITLED AN ACT TO SET A DEADLINE ON THE INTRODUCTION OF PUBLIC BILLS, with an unfavorable report.

H. J. R. 241, A JOINT RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO OPPOSE THE PASSAGE OF A FEDERAL TUITION TAX CREDIT BILL, with an indefinite postponement report.

H. J. R. 240, A JOINT RESOLUTION URGING THE UNITED STATES GOVERNMENT TO SEEK A BILATERAL, VERIFIABLE FREEZE AND REDUCTION IN NUCLEAR WEAPONS, with an indefinite postponement report.

S. B. 151, A BILL TO BE ENTITLED AN ACT TO COMMEMORATE THE DATE OF THE ADOPTION OF THE HALIFAX RESOLVES ON THE GREAT SEAL OF NORTH CAROLINA, with a favorable report.

S. J. R. 211, A JOINT RESOLUTION URGING THE UNITED STATES GOVERNMENT TO REFRAIN FROM OCEAN DISPOSAL OF DECOMMISSIONED NUCLEAR SUBMARINES OFF THE NORTH CAROLINA COAST, with a favorable report.

By Representative Brennan for the Committee on Human Resources:

H. B. 543, A BILL TO BE ENTITLED AN ACT TO MODIFY CERTAIN PROVISIONS OF THE CERTIFICATE OF NEED LAW, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for May 2, 1983. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Colton:

H. B. 955, A BILL TO BE ENTITLED AN ACT TO ALLOW TAXPAYERS TO ELECT TO APPLY ANY INCOME TAX REFUND OWED THEM TO THEIR ESTIMATED INCOME TAX LIABILITY FOR THE FOLLOWING YEAR, is referred to the Committee on Finance.

By Representative Lee:

H. B. 956, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 115D-20 RELATING TO POWERS AND DUTIES OF TRUSTEES OF COMMUNITY COLLEGES, is referred to the Committee on Judiciary No. 4.

By Representatives Easterling, Auman, Beall, Beam, Black, Brennan, Colton, Economos, Foster, Hayden, Jones, Lambeth, Miller, Slaughter, Spoon, Tennille, and Thomas:

H. J. R. 957, A JOINT RESOLUTION URGING ALL MANAGERS WITH THE STATE OF NORTH CAROLINA RESPONSIBLE FOR CLERICAL PERSONNEL TO GIVE PREFERENCE TO CERTIFIED PROFESSIONAL SECRETARIES FOR PROMOTIONS AND PAY INCREASES, is referred to the Committee on Rules and Operation of the House.

By Representatives Beard and Anderson:

H. R. 958, A HOUSE RESOLUTION DIRECTING THE INSURANCE COMMISSIONER TO FURNISH THE DIRECTOR OF THE FISCAL RESEARCH DIVISION WITH CERTAIN INFORMATION, is referred to the Committee on Rules and Operation of the House.

By Representatives Gillam and Creecy:

H. B. 959, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DIVISION OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES OF THE DEPARTMENT OF HUMAN RESOURCES FOR THE WICCACON HOUSE PROGRAM OF THE ROANOKE-CHOWAN HUMAN SERVICES CENTER FOR MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE, is referred to the Committee on Appropriations.

By Representatives Gillam, Chapin, James, Lutz, Murphy, and Warren:

H. B. 960, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CROP SCIENCE EXTENSION PROGRAMS FOR BURLEY AND FLUE-CURED TOBACCO, is referred to the Committee on Agriculture.

By Representatives Gillam, C. Hughes, and Grimsley:

H. B. 961, A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL FOR ANY PERSON TO BE INTOXICATED ON ANY HIGHWAY, is referred to the Committee on Highway Safety.

By Representatives Gillam and Ballance:

H. B. 962, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AN EQUINE TECHNOLOGY PROGRAM AT MARTIN COMMUNITY COLLEGE, is referred to the Committee on Agriculture.

By Representatives Gillam and C. Hughes:

H. B. 963, A BILL TO BE ENTITLED AN ACT TO INCREASE MOTOR VEHICLE ACCIDENT REPORTING LIMITS TO FIVE HUNDRED DOLLARS, is referred to the Committee on Highway Safety.

By Representatives Cook, Adams, Ballance, Barnes, Beam, Black, Blue, Brennan, Childress, Colton, N. J. Crawford, Easterling, Economos, Edwards, Bruce Ethridge, Foster, Fussell, Gist, Greenwood, Hauser, Helms, Holt, Keesee, Kennedy, McDowell, Musselwhite, Nesbitt, Payne, Pulley, Roberts, Seymour, Stamey, and Tennille:

H. B. 964, A BILL TO BE ENTITLED AN ACT TO ALLOW CITIES TO SPEND SALES TAX REVENUE ON HOUSING, is referred to the Committee on Housing.

By Representative Musselwhite:

H. B. 965, A BILL TO BE ENTITLED AN ACT MAKING TECHNICAL AMENDMENTS TO THE PRIVATE PLACEMENT EXEMPTION FOR SECURITIES OFFERINGS AND ALLOWING THE SECRETARY OF STATE TO ESTABLISH LIMITED OFFERING EXEMPTIONS, is referred to the Committee on Judiciary No. 1.

By Representatives Wicker and Watkins:

H. B. 966, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO REFLECTORIZE VEHICLE LICENSE PLATES, is referred to the Committee on Law Enforcement.

By Representatives Wicker and Watkins:

H. B. 967, A BILL TO BE ENTITLED AN ACT TO REQUIRE TWO REGISTRATION PLATES FOR CERTAIN VEHICLES AND TO MAKE OTHER CHANGES IN THE REGISTRATION LAW, is referred to the Committee on Law Enforcement.

By Representatives Greenwood, Colton, N. J. Crawford, and Nesbitt:

H. B. 968, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A CHAPEL AT THE JUVENILE EVALUATION CENTER, is referred to the Committee on Appropriations.

MESSAGE FROM THE SENATE

The following are received from the Senate:

Committee Substitute No. 3 for S. B. 188, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT COUNTIES AND CITIES MAY NOT AUTHORIZE THE CONSTRUCTION OF BUILDINGS OR STRUCTURES OF MORE THAN THREE STORIES OR THIRTY-FIVE FEET HIGH ON MOUNTAIN RIDGES AT ALTITUDES OF MORE THAN TWENTY-NINE HUNDRED AND FIFTY FEET AND PROVIDING FOR CERTAIN EXCEPTIONS, is read the first time and is referred to the Committee on Water and Air Resources.

S. B. 254, A BILL TO BE ENTITLED AN ACT TO ALLOW THE GOVERNING BODY OF GASTON COUNTY OR ITS MUNICIPALITIES TO CONTRACT WITH BANKS AND OTHER FINANCIAL INSTITUTIONS FOR RECEIPT OF PAYMENT OF PROPERTY TAXES, is read the first time and is referred to the Committee on Finance.

S. B. 301, A BILL TO BE ENTITLED AN ACT TO ADOPT THE USE OF THE CURRENT MANUAL FOR COURTS-MARTIAL, is read the first time and is referred to the Committee on Military and Veterans' Affairs.

S. B. 300, A BILL TO BE ENTITLED AN ACT TO REVISE THE PROCEDURES FOR NONJUDICIAL PUNISHMENT AND SUMMARY COURTS-MARTIAL IN THE NORTH CAROLINA NATIONAL GUARD, is read the first time and is referred to the Committee on Military and Veterans' Affairs.

Committee Substitute for S. B. 269, A BILL TO BE ENTITLED AN ACT TO REFORM CERTAIN ADMINISTRATIVE PROCEDURES OF THE ENVIRONMENTAL MANAGEMENT COMMISSION, is read the first time and is referred to the Committee on Natural and Economic Resources.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for H. B. 597, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF WEDDINGTON IN UNION COUNTY.

On motion of Representative Hudson, the House concurs in the material Senate committee substitute on its third reading, by the following vote, and the bill is ordered enrolled.

Those voting in the affirmative are: Representatives Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Berry, Blue, Bowen, Brannan, Brawley, Brown, Brubaker, Bumgardner, Childress, Church, Clark, Coble, Cochrane, Colton, J. W. Crawford, N. J.

Crawford, Creecy, DeVane, Diamont, Economos, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fletcher, Foster, Fussell, Gentry, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Ligon, Lilley, Locks, Lutz, McAlister, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Payne, Pool, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 97.

Voting in the negative: None.

Excused absences: Representatives Beard, Brennan, Burnley, Easterling, Gillam, C. Hughes, Lee, and Owens — 8.

H. B. 569, A BILL TO BE ENTITLED AN ACT TO ANNEX A CERTAIN TRACT OF LAND TO THE TOWN OF MURPHY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Berry, Black, Blue, Bowen, Brannan, Brawley, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Fletcher, Foster, Fussell, Gentry, Gist, Greenwood, Grimsley, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Payne, Pool, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 103.

Voting in the negative: None.

Excused absences: Representatives Beard, Brennan, Burnley, Easterling, Gillam, C. Hughes, Lee, and Owens — 8.

Committee Substitute for H. B. 530, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ESTABLISHMENT OF A SPECIAL DEPUTY PROGRAM FOR THE SHERIFF OF GUILFORD COUNTY AND TO MAKE THE NORTH CAROLINA WORKER'S COMPENSATION ACT APPLICABLE TO MEMBERS OF THE SPECIAL DEPUTY PROGRAM.

Representative Grimsley offers Amendment No. 1 which is adopted. This amendment changes the title.

The bill, as amended, passes its second reading and remains on the Calendar.

H. B. 578, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE WAKE COUNTY ABC BOARD CONSIST OF FIVE MEMBERS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 796, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CHARLOTTE/MECKLENBURG COUNTY SCHOOLS TO EXTEND THE PROBATIONARY PERIOD FOR NONTENURED TEACHERS AND TO ELIMINATE THE REDUCTION

IN THE PROBATIONARY PERIOD FOR TEACHERS IT EMPLOYS WHO ALREADY HAVE TENURE IN ANOTHER NORTH CAROLINA SCHOOL SYSTEM.

On motion of Representative Berry, Committee Amendment No. 1 is adopted.

Representative Berry calls the previous question, on the passage of the bill, and the call is sustained by electronic vote (101-5).

The bill fails to pass its second reading by electronic vote (49-56).

The Speaker announces the electronic voting print-out on the second reading did not print. The voting on the panel indicated 49 members voting in the affirmative and 56 members voting in the negative. The members verified the panel vote.

H. B. 862, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER AND RELATED LAWS OF THE CITY OF WILMINGTON TO CLARIFY PROCEDURES RELATING TO SPECIAL USE DISTRICTS AND SPECIAL USE PERMITS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 863, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON TO REVISE CERTAIN ORDINANCE PROCEDURES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 864, A BILL TO BE ENTITLED AN ACT TO REPEAL PREVIOUS NEW HANOVER COUNTY LOCAL ACTS CONCERNING TAXING AND REGULATION OF PROFESSIONAL BONDSMEN, AND ESTABLISHING A LAW LIBRARY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 636, A BILL TO BE ENTITLED AN ACT TO ALLOW CLAY COUNTY TO DISPOSE OF CERTAIN PROPERTY AT PRIVATE SALE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 637, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COUNTY OF GRAHAM TO EXCHANGE PROPERTY WITH THE UNITED STATES FOREST SERVICE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 638, A BILL TO BE ENTITLED AN ACT TO RAISE THE FORCE ACCOUNT CONSTRUCTION LIMIT FOR MACON COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 828, A BILL TO BE ENTITLED AN ACT TO LIMIT THE APPLICABILITY OF A PROPOSED SCHOOL SUPPLEMENT TAX IN TRANSYLVANIA COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 873, A BILL TO BE ENTITLED AN ACT AMENDING G. S. 160A-456 TO

CLARIFY THE AUTHORITY OF THE CITY OF DURHAM TO MAKE GRANTS AND LOANS FOR THE ECONOMIC DEVELOPMENT OF BUSINESSES SERVING THE NEEDS OF PERSONS OF LOW AND MODERATE INCOME, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H. B. 874, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF DURHAM TO COMPLY WITH MINIMUM MINORITY AND/OR WOMEN'S BUSINESS ENTERPRISE PARTICIPATION REQUIREMENTS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 887, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM, BY ADDING PROVISIONS RELATING TO FAIR HOUSING, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 858, A BILL TO BE ENTITLED AN ACT TO DELETE NEW HANOVER COUNTY FROM THE PROVISIONS OF THE GENERAL STATUTES RELATING TO VACANCIES ON BOARDS OF COMMISSIONERS IN CERTAIN COUNTIES.

Representative Rhodes requests that he be recorded in the Journal as voting in the negative on this bill.

The bill passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 444, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SPECIAL LICENSES FOR STREET RODS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Berry, Black, Blue, Bowen, Brannan, Brawley, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Clark, Coble, Cochrane, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Payne, Pool, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 107.

Voting in the negative: None.

H. B. 551, A BILL TO BE ENTITLED AN ACT AMENDING THE COUNTY HOSPITAL ACT TO AUTHORIZE A COUNTY HOSPITAL TO ESTABLISH AND OPERATE BRANCH FACILITIES IN OTHER COUNTIES.

Representative Evans offers Amendment No. 2.

The Speaker, having ascertained that the electronic voting equipment is inoperative, Representative Evans moves that the rules be suspended in order that consideration of the amendment be by voice vote and this motion carries.

Amendment No. 2 is adopted.

Representative Evans moves that the rules be suspended in order for the bill to have its third reading by voice vote and this motion carries.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

The Speaker having ascertained that the electronic voting equipment is inoperative, on motion of Representative Hunt, the rules are suspended and the second reading on the non-roll call bills is by voice vote.

Committee Substitute for H. B. 370, A BILL TO BE ENTITLED AN ACT TO PROVIDE A LICENSING PROGRAM FOR HOSPICES.

Representative Barker moves that the bill be re-referred to the Committee on Health.

Representative Fenner moves that the motion to re-refer the bill to the Committee on Health do lie upon the table and this motion fails for the lack of a second to the motion.

The motion to re-refer the bill to the Committee on Health fails with 26 members voting in the affirmative and 66 members voting in the negative.

The bill passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 833, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN INTENSIVE PROBATION PROGRAM IN THE DIVISION OF ADULT PROBATION AND PAROLE.

Representative Hackney offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 643, A BILL TO BE ENTITLED AN ACT TO AMEND THE DAM SAFETY LAW RELATING TO THE DEFINITION OF THE TERM "DAM", passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S. B. 101, A BILL TO BE ENTITLED AN ACT TO MAKE FIRST AND SECOND DEGREE SEX OFFENSES NON-DIVERTIBLE OFFENSES FOR JUVENILE COMPLAINTS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

H. B. 690, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE RETURN OF PATIENTS TO TREATMENT FACILITIES.

On motion of Representative Barker, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 702, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA GENERAL STATUTES CREATING THE NORTH CAROLINA HUMAN RELATIONS COUNCIL.

On motion of Representative Kennedy, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 495, AN ACT EXEMPTING FROM THE PROVISIONS OF ARTICLE 12, CHAPTER 160A, OF THE GENERAL STATUTES OF NORTH CAROLINA, THE COUNTY OF IREDELL, AS TO LEASES OR SALES OF REAL ESTATE OWNED BY IT KNOWN AS THE LOWRANCE HOSPITAL PROPERTY AND THE PERSONAL PROPERTY USED FOR THE HOSPITAL AND MEDICAL CARE PURPOSES.

H. B. 499, AN ACT TO INCREASE MOTOR VEHICLE ACCIDENT REPORTING LIMITS.

H. B. 500, AN ACT TO ALLOW CENTRAL PIEDMONT COMMUNITY COLLEGE TO LEASE CERTAIN PROPERTY.

H. B. 415, AN ACT TO MAKE CLEAR THAT PERSONAL JURISDICTION MAY BE OBTAINED BY SERVICE BY PUBLICATION.

H. B. 531, AN ACT TO REPEAL THE AUTHORIZATION FOR A GREENVILLE CEMETERY PURCHASE FUND, AND TO AUTHORIZE TRANSFER OF MONIES FROM THAT FUND.

H. B. 553, AN ACT TO ABOLISH THE TAR RIVER PORT COMMISSION.

H. B. 562, AN ACT TO PROVIDE FOR FILING AND NOTICE OF ELECTION TO THE COLUMBUS COUNTY BOARD OF EDUCATION AND THE WHITEVILLE CITY BOARD OF EDUCATION.

H. B. 566, AN ACT TO AUTHORIZE THE CITY OF FAYETTEVILLE TO EXERCISE CERTAIN LAND ACQUISITION AND DISPOSAL PROCEDURES.

H. B. 576, AN ACT TO REAPPORTION THE NEW BERN-CRAVEN COUNTY BOARD OF EDUCATION AND TO REDUCE ITS SIZE FROM TWELVE TO SEVEN MEMBERS.

H. B. 600, AN ACT TO INCREASE THE MEMBERSHIP OF THE INDUSTRIAL DEVELOPMENT COMMISSION FOR STANLY COUNTY.

H. B. 601, AN ACT TO PROVIDE THAT THE STANLY COUNTY BOARD OF COMMISSIONERS MAY DESIGNATE A COMMISSIONER TO SERVE EX OFFICIO ON THE STANLY COUNTY AIRPORT AUTHORITY.

H. B. 606, AN ACT TO ALLOW WILSON COUNTY TO LEASE HOSPITAL FACILITIES FOR LONGER THAN TEN YEARS, TO RESOLVE A CONFLICT BETWEEN TWO STATUTES.

H. B. 635, AN ACT EXEMPTING FROM THE PROVISIONS OF ARTICLE 12, CHAPTER 160A OF THE GENERAL STATUTES OF NORTH CAROLINA, THE COUNTY OF EDGECOMBE AS TO LEASES OR SALES OF REAL ESTATE OWNED OR HEREAFTER OWNED BY IT FOR THE USE AND BENEFIT OF THE EDGECOMBE COUNTY DEVELOPMENT CORPORATION OR BY SUCH CORPORATION ITSELF.

H. B. 647, AN ACT REGARDING DISCOUNTS FOR PAYMENTS OF PROPERTY TAX IN SURRY COUNTY.

H. B. 662, AN ACT TO CHANGE THE JURISDICTION OF THE ROANOKE VOYAGES CORRIDOR COMMISSION.

H. B. 707, AN ACT TO ALLOW HERTFORD COUNTY TO SELL CERTAIN INDUSTRIAL PROPERTY AT PRIVATE SALE.

H. B. 739, AN ACT TO REPEAL FAYETTEVILLE CIVIL SERVICE COMMISSION.

H. B. 197, AN ACT TO REQUIRE ALL BRAKE LIGHTS TO BE RED AND PERMIT OTHER LIGHTS ON THE REAR OF ANY MOTOR VEHICLE TO BE AMBER, YELLOW, WHITE, CLEAR OR RED.

H. B. 427, AN ACT TO MODIFY THE CONDITIONS OF AN ASSESSMENT ON YAM PRODUCERS WHICH MAY BE AUTHORIZED IN A PRODUCERS' REFERENDUM.

S. B. 127, AN ACT TO MAKE CLARIFYING AND PROCEDURAL CHANGES TO THE LAW REGARDING EDUCATION FOR CHILDREN WITH SPECIAL NEEDS.

S. B. 220, AN ACT TO REPEAL THE MARKETING OF FARMERS STOCK PEANUTS ACT, THE NORTH CAROLINA MEAT GRADING LAW, AND AN UNCONSTITUTIONAL PROVISION OF THE MARKETING AND BRANDING FARM PRODUCTS ACT.

On motion of Representative Hunt, seconded by Representative Anderson, the House adjourns to reconvene April 29, 1983 at 11:00 a.m.

SEVENTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Friday, April 29, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Fussell.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of April 28 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Beard, Black, Brennan, Colton, Easterling, Gillam, Hughes, Lee, Owens, Seymour, and Wright for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Pulley for the Committee on Judiciary No. 4:

H. B. 800, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 65 RELATING TO FUNERAL AND BURIAL TRUST FUNDS, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for May 3, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 791, A BILL TO BE ENTITLED AN ACT TO PERMIT ENFORCEMENT OF CHILD SUPPORT AND CUSTODY JUDGMENTS WHILE ON APPEAL, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for May 3, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Wicker for the Committee on Law Enforcement:

H. B. 10, A BILL TO BE ENTITLED AN ACT GIVING THE POWER OF ARREST TO CERTAIN FORMER LAW ENFORCEMENT OFFICERS, with an unfavorable report.

On motion of Representative Church, H. B. 722, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE INDEPENDENCE OF THE INDUSTRIAL COMMISSION FROM THE SECRETARY OF COMMERCE IN THE APPOINTMENT OF DEPUTY COMMISSIONERS AND IN THE EXERCISE OF ITS QUASIJUDICIAL FUNCTIONS, is withdrawn from the Committee on State Government and is re-referred to the Committee on Judiciary No. 2.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Pulley:

H. B. 969, A BILL TO BE ENTITLED AN ACT TO CLARIFY PROCEDURES FOR CONTESTING DEBTS SUBMITTED FOR COLLECTION UNDER THE SETOFF DEBT COLLECTION ACT, is referred to the Committee on Judiciary No. 4.

By Representative Lancaster:

H. B. 970, A BILL TO BE ENTITLED AN ACT REGARDING SUSPENSION OF A DRIVER'S LICENSE FOR FAILURE TO MAINTAIN THE REQUIRED SECURITY OR INSURANCE, is referred to the Committee on Highway Safety.

By Representatives Spaulding, Anderson, Black, N. J. Crawford, Hauser, and Watkins:

H. J. R. 971, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO CONTINUE TO STUDY CIVIL RIGHTS COMPLIANCE IN NON-STATE INSTITUTIONS RECEIVING STATE FUNDS, is referred to the Committee on Rules and Operation of the House.

By Representatives Spaulding, Anderson, Black, N. J. Crawford, Hauser, and Watkins:

H. B. 972, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR MONITORING CIVIL RIGHTS COMPLIANCE IN NURSING HOMES, is referred to the Committee on Appropriations.

By Representatives Spaulding, Anderson, Black, N. J. Crawford, Hauser, and Watkins:

H. B. 973, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A FULL-TIME CIVIL RIGHTS COORDINATOR IN THE DIVISION OF SOCIAL SERVICES, is referred to the Committee on Appropriations.

By Representative Spoon:

H. B. 974, A BILL TO BE ENTITLED AN ACT TO PROHIBIT COLORED LICENSE PLATE COVERS, is referred to the Committee on Highway Safety.

By Representative Economos:

H. B. 975, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ALL CERTIFICATES OF NEED FOR ICF AND SNF BED CAPACITY ISSUED BEFORE JULY 1, 1983, ARE WITHDRAWN AS TO BED CAPACITY NOT CONSTRUCTED OR IN OPERATION ON OR BEFORE JULY 1, 1985, is referred to the Committee on Human Resources.

By Representative Economos:

H. J. R. 976, A JOINT RESOLUTION ENCOURAGING LOCAL GOVERNMENTS TO OFFER A PROPERTY TAX WORK-OFF PROGRAM TO PERSONS OVER AGE SIXTY-FIVE, is referred to the Committee on Rules and Operation of the House.

By Representatives C. Hughes, Brubaker, Burnley, and Redding:

H. B. 977, A BILL TO BE ENTITLED AN ACT TO CREATE AN OFFICE OF EMPLOYMENT DEVELOPMENT WITHIN THE DEPARTMENT OF COMMERCE, is referred to the Committee on Employment Security.

By Representatives Tennille and Childress:

H. B. 978, A BILL TO BE ENTITLED AN ACT CONCERNING SECOND MORTGAGES ON RESIDENTIAL REAL PROPERTY, is referred to the Committee on Banks and Thrift Institutions.

By Representative Evans:

H. B. 979, A BILL TO BE ENTITLED AN ACT TO PROVIDE AUTHORIZATION FOR GENERAL PERMITS UNDER THE DREDGE AND FILL LAW AND CLARIFICATION OF GENERAL PERMITS UNDER THE COASTAL AREA MANAGEMENT ACT, is referred to the Committee on Natural and Economic Resources.

By Representatives Wicker and Helms:

H. B. 980, A BILL TO BE ENTITLED AN ACT TO PERMIT POLITICAL ACTION COMMITTEES REGISTERED WITH THE FEDERAL ELECTION COMMISSION TO CONTRIBUTE TO NORTH CAROLINA CAMPAIGNS IN CERTAIN CIRCUMSTANCES, is referred to the Committee on Election Laws.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S. B. 194, A BILL TO BE ENTITLED AN ACT TO REWRITE CERTAIN OF THE FOREST LAWS OF NORTH CAROLINA, is read the first time and is referred to the Committee on Natural and Economic Resources.

S. B. 299, A BILL TO BE ENTITLED AN ACT TO REMOVE RETIREMENT AGE RESTRICTIONS IN THE UNORGANIZED MILITIA AND THE NORTH CAROLINA STATE DEFENSE MILITIA, is read the first time and is referred to the Committee on Military and Veterans' Affairs.

S. B. 362, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PARTISAN ELECTIONS FOR THE TOWN OF WOODFIN, is read the first time and is referred to the Committee on Election Laws.

S. B. 365, A BILL TO BE ENTITLED AN ACT TO RAISE THE COMPENSATION OF THE MOORE COUNTY BOARD OF EDUCATION, is read the first time and is referred to the Committee on Local Government No. 2.

S. B. 369, A BILL TO BE ENTITLED AN ACT TO PERMIT THE NASH COUNTY BOARD OF COMMISSIONERS TO APPROPRIATE ADDITIONAL FUNDS FOR INDUSTRIAL DEVELOPMENT, is read the first time and is referred to the Committee on Local Government No. 1.

S. B. 388, A BILL TO BE ENTITLED AN ACT AMENDING G. S. 160A-456 TO CLARIFY THE AUTHORITY OF THE CITY OF DURHAM TO MAKE GRANTS AND LOANS FOR THE ECONOMIC DEVELOPMENT OF BUSINESSES SERVING THE NEEDS OF PERSONS OF LOW AND MODERATE INCOME, is read the first time and is referred to the Committee on Local Government No. 1.

S. B. 405, A BILL TO BE ENTITLED AN ACT TO PERMIT PERSONS TO ENGAGE IN BUSINESS AS A PAWNBROKER IN UNINCORPORATED AREAS OF PITT COUNTY, is read the first time and is referred to the Committee on Local Government No. 1.

S. B. 352, A BILL TO BE ENTITLED AN ACT TO CHANGE THE BOUNDARY BETWEEN THE FAIRMONT CITY AND ROBESON COUNTY ADMINISTRATIVE SCHOOL UNITS, is read the first time and is referred to the Committee on Local Government No. 2.

COMMITTEE ASSIGNMENTS

The Speaker announces the following Select Committee to Study the Operations Governing the North Carolina National Guard: Representative Barbee, Chairman; Representative Wright, Vice Chairman; Representatives Bumgardner, Nesbitt, Payne, Pool, Rabon, Rhodes, Slaughter, Spoon, and Wicker.

CALENDAR

Action is taken on the following:

H. B. 569, A BILL TO BE ENTITLED AN ACT TO ANNEX A CERTAIN TRACT OF LAND TO THE TOWN OF MURPHY, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Barbee, Barker, Barnes, Beam, Berry, Bowen, Brannan, Brawley, Brown, Brubaker, Chapin, Childress, Church, Coble, Cochrane, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Economos, Enloe, Bruce Ethridge, Fletcher, Foster, Fulcher, Fussell, Gentry, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Holmes, Holt, Hudson, Hunt, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Womble, and B. Woodard — 86.

Voting in the negative: None.

Excused absences: Representatives Beard, Black, Brennan, Burnley, Colton, Easterling, Gillam, C. Hughes, Lee, Owens, Seymour, and Wright — 12.

Committee Substitute for H. B. 574, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF MAIDEN TO MAKE STREET IMPROVEMENTS AND ASSESS THE COST AGAINST ABUTTING PROPERTY OWNERS WITHOUT A PETITION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Allran, Anderson, Barbee, Barker, Barnes, Beam, Berry, Bowen, Brannan, Brawley, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Coble, Cochrane, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Economos, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holt, Hudson, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, and B. Woodard — 89.

Voting in the negative: None.

Excused absences: Representatives Beard, Black, Brennan, Colton, Easterling, Gillam, C. Hughes, Lee, Owens, Seymour, and Wright — 11.

Committee Substitute for H. B. 623, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF KING IN STOKES COUNTY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Barbee, Barker, Barnes, Beam, Brannan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Coble, Cochrane, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane. Diamont, Economos, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holmes, Holt, Hudson, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Murphy, Musselwhite, Nash, Nesbitt, Payne, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Slaughter, Spaulding,

Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, and B. Woodard — 90.

Voting in the negative: None.

Excused absences: Representatives Beard, Black, Brennan, Colton, Easterling, Gillam, C. Hughes, Lee, Owens, Seymour, and Wright — 11.

Committee Substitute for H. B. 530, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ESTABLISHMENT OF A SPECIAL DEPUTY PROGRAM FOR THE SHERIFFS OF GUILFORD, DAVIDSON AND EDGECOMBE COUNTIES AND TO MAKE THE NORTH CAROLINA WORKER'S COMPENSATION ACT APPLICABLE TO MEMBERS OF THE SPECIAL DEPUTY PROGRAM.

On motion of Representative Grimsley, consideration of the bill is postponed until May 3, 1983.

Committee Substitute for H. B. 804, A BILL TO BE ENTITLED AN ACT TO AMEND THE SCHOOL BUDGET AND FISCAL CONTROL ACT CONCERNING APPROVAL OF EXPENDITURES SOME OR ALL OF WHICH ARE TO BE PAID IN ENSUING FISCAL YEARS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 883, A BILL TO BE ENTITLED AN ACT TO REGULATE THE USE OF FIREARMS ON PUBLIC HIGHWAYS IN HOKE COUNTY.

On motion of Representative DeVane, Committee Amendment No. 1, which changes the title, is adopted.

The bill, as amended, passes its second reading and remains on the Calendar.

H. B. 444, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SPECIAL LICENSES FOR STREET RODS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Ballance, Barbee, Barker, Beam, Berry, Bowen, Brannan, Brawley, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Coble, Cochrane, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Economos, Enloe, Bruce Ethridge, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holmes, Holt, Hudson, Hunt, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Ligon, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Nash, Nesbitt, Payne, Pool, Poovey, Quinn, Rabon, Redding, Rhodes, Roberts, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, and C. Woodard — 90.

Voting in the negative: None.

Excused absences: Representatives Beard, Black, Brennan, Colton, Easterling, Gillam, C. Hughes, Lee, Owens, Seymour, and Wright — 11.

Committee Substitute for H. B. 261, A BILL TO BE ENTITLED AN ACT TO DESIGNATE DISTRICT BARS AS SUBDIVISIONS OF THE NORTH CAROLINA STATE BAR AND TO AMEND THE STATUTES RELATING TO THE DISCIPLINING OF ATTORNEYS, passes its second reading, by electronic vote (96-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 293, A BILL TO BE ENTITLED AN ACT TO VALIDATE THE REGISTRATION OF CERTAIN INSTRUMENTS CONTAINING A NOTARIAL JURAT INSTEAD OF AN ACKNOWLEDGEMENT, passes its second reading, by electronic vote (92-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 450, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE TESTATORS TO PROVIDE FOR THE CREMATION OF THEIR BODIES AFTER DEATH BY APPROPRIATE TESTAMENTARY DECLARATION IN THEIR LAST WILL AND TESTAMENT, passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 263, A BILL TO BE ENTITLED AN ACT TO REQUIRE A JUDICIAL OFFICIAL TO STATE THE REASON(S) FOR REQUIRING A SECURED BAIL BOND AS A CONDITION OF PRETRIAL RELEASE.

On motion of Representative Hauser, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (102-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

The Speaker announces the appoinment of Representatives Evans, Chairman; Pulley and Cook as conferees on House Committee Substitute for Senate Committee Substitute for S. B. 117, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MEMBERSHIP OF THE STATE BANKING COMMISSION AND TO SUBJECT THE APPOINTMENT OF THE COMMISSIONER OF BANKS TO CONFIRMATION BY THE GENERAL ASSEMBLY, and the Senate is so notified by Special Message.

H. B. 764, A BILL TO BE ENTITLED AN ACT TO AMEND THE LIMITATIONS ON STATE FINANCIAL AID TO AVIATION.

On motion of Representative Lilley, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (86-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 773, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO LEASE THE RIGHT-OF-WAY OF INTERSTATE HIGHWAY 40 TO THE CITY OF WINSTON-SALEM FOR A PARKING FACILITY, passes its second reading, by electronic vote (92-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 919, A BILL TO BE ENTITLED AN ACT TO CHANGE THE METHOD OF DETERMINING THE AMOUNT DUE UNDER THE SOFT DRINK DISPENSER TAX, passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S. B. 271, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 113-229 RELATING TO PERMITS, APPEALS, AND HEARINGS REGARDING DREDGING AND FILLING, passes its second reading, by electronic vote (86-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Representative Miller moves that the vote by which H. B. 796, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CHARLOTTE/MECKLENBURG COUNTY SCHOOLS TO EXTEND THE PROBATIONARY PERIOD FOR NONTENURED TEACHERS AND TO ELIMINATE THE REDUCTION IN THE PROBATIONARY PERIOD FOR TEACHERS IT EMPLOYS WHO ALREADY HAVE TENURE IN ANOTHER NORTH CAROLINA SCHOOL SYSTEM, failed to pass its second reading be reconsidered and this motion carries by electronic vote (77-25).

On motion of Representative Miller, the bill is re-referred to the Committee on Judiciary No. 1.

H. J. R. 824, A JOINT RESOLUTION REQUESTING THE NORTH CAROLINA COURTS COMMISSION TO STUDY THE CURRENT LAW AND PROCEDURES FOR APPOINTMENT OF MAGISTRATES AND TO REPORT ITS RECOMMENDATIONS TO THE 1984 SESSION OF THE GENERAL ASSEMBLY.

On motion of Representative Watkins, the bill is re-referred to the Committee on Appropriations.

H. B. 524, A BILL TO BE ENTITLED AN ACT TO REPEAL ALL ADMINISTRATIVE RULES ADOPTED UNDER THE A. P. A. AND REQUIRE THEIR ADOPTION BY THE GENERAL ASSEMBLY.

On motion of Representative Watkins, consideration of the bill is postponed until May 4, 1983.

S. B. 151, A BILL TO BE ENTITLED AN ACT TO COMMEMORATE THE DATE OF THE ADOPTION OF THE HALIFAX RESOLVES ON THE GREAT SEAL OF NORTH CAROLINA, passes its second reading, by electronic vote (93-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. J. R. 211, A JOINT RESOLUTION URGING THE UNITED STATES GOVERNMENT TO REFRAIN FROM OCEAN DISPOSAL OF DECOMMISSIONED NUCLEAR SUBMARINES OFF THE NORTH CAROLINA COAST.

On motion of Representative Evans, consideration of the resolution is postponed until May 2, 1983.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 225, AN ACT TO MODIFY THE MEMBERSHIP OF THE COASTAL RESOURCES ADVISORY COUNCIL.

H. B. 466, AN ACT TO AMEND THE CHARTER OF THE CITY OF STATESVILLE.

S. B. 101, AN ACT TO MAKE FIRST AND SECOND DEGREE SEX OFFENSES NON-DIVERTIBLE OFFENSES FOR JUVENILE COMPLAINTS.

On motion of Representative Hunt, seconded by Representative Varner, the House adjourns to reconvene Monday, May 2, 1983 at 8:00 p.m.

SEVENTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Monday, May 2, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Edwards.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of April 29 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Burnley, Foster, Helms, Hudson, Keesee, Owens, and Spoon for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Wright for the Committee on Judiciary No. 2:

H. B. 193, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS CONCERNING THE ADVISORY BUDGET COMMISSION TO BOND ACTS TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE ON SEPARATION OF POWERS, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for May 4, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Clark for the Committee on Alcoholic Beverage Control:

H. B. 880, A BILL TO BE ENTITLED AN ACT ALTERING THE DISTRIBUTION OF PROFITS OF THE CITY OF HERTFORD ABC BOARD, with a favorable report.

H. B. 893, A BILL TO BE ENTITLED AN ACT AMENDING THE ELIGIBILITY REQUIREMENTS FOR ABC STORE AND MIXED BEVERAGE ELECTIONS AND THE AUTHORIZATION OF SPECIAL OCCASION AND LIMITED SPECIAL OCCASION PERMITS, with a favorable report, as amended.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives DeVane, Hasty, Lee, and Locks:

H. B. 981, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A MAINTENANCE AND STORAGE BUILDING FOR FIRE FIGHTING EQUIPMENT IN SCOTLAND COUNTY, is referred to the Committee on Appropriations.

By Representative B. Woodard:

H. B. 982, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR SWEET POTATO RESEARCH, is referred to the Committee on Agriculture.

By Representatives Spaulding and Foster:

H. B. 983, A BILL TO BE ENTITLED AN ACT TO PROVIDE A DUTY-FREE LUNCH PERIOD FOR TEACHERS AND AIDES, is referred to the Committee on Education.

By Representatives Coble and Redding:

H. B. 984, A BILL TO BE ENTITLED AN ACT TO REQUIRE REGULAR SUPERIOR COURT JUDGES TO BE BOTH NOMINATED AND ELECTED IN THEIR RESIDENT JUDICIAL DISTRICTS, is referred to the Committee on Courts and Administration of Justice.

By Representatives Warren, Anderson, Barker, Beall, Beam, Berry, Black, Bowen, Brawley, Brennan, Brown, J. W. Crawford, N. J. Crawford, Creecy, Easterling, Economos, Edwards, Enloe, Bruce Ethridge, Foster, Fussell, Gillam, Gist, Greenwood, Hasty, Hayden, Helms, Hudson, Hunter, Huskins, James, Jarrell, Jones, Jordan, Lacey, Lancaster, Lilley, Locks, McAlister, Matthews, Mauney, Miller, Payne, Pulley, Rabon, Slaughter, Tyndall, Tyson, and C. Woodard:

H. B. 985, A BILL TO BE ENTITLED AN ACT PROHIBITING THE DUPLICATION BY THE DIRECT MOLDING PROCESS OF MANUFACTURED PARTS, is referred to the Committee on Judiciary No. 3.

By Representative Watkins:

H. B. 986, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN, is referred to the Committee on Appropriations.

By Representatives Evans and James:

H. B. 987, A BILL TO BE ENTITLED AN ACT TO MAKE THE JUNKYARD CONTROL ACT APPLICABLE TO STATE HIGHWAYS DESIGNATED BY THE BOARD OF TRANSPORTATION, is referred to the Committee on Transportation.

By Representatives Thomas and Miller:

H. B. 988, A BILL TO BE ENTITLED AN ACT TO REWRITE THE STATUTE UNDER WHICH NONPUBLIC POST-SECONDARY EDUCATIONAL INSTITUTIONS MAY BE LICENSED TO CONDUCT POST-SECONDARY DEGREE ACTIVITY IN NORTH CAROLINA, is referred to the Committee on Higher Education.

By Representative Evans:

H. B. 989, A BILL TO BE ENTITLED AN ACT TO MAKE UNLAWFUL THE UNAUTHORIZED RECONNECTION OF A LAWFULLY DISCONNECTED UTILITY, is referred to the Committee on Public Utilities.

MESSAGE FROM THE SENATE

The following are received from the Senate:

S. J. R. 332, A JOINT RESOLUTION DIRECTING THE NORTH CAROLINA COURTS COMMISSION TO STUDY THE PROBLEM OF THE NORTH CAROLINA COURT OF APPEALS' CASE OVERLOAD, is read the first time and is referred to the Committee on Rules and Operation of the House.

S. B. 353, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF MURFREESBORO AND TO REPEAL PRIOR LOCAL ACTS, is read the first time and is referred to the Committee on Local Government No. 2.

S. B. 375, A BILL TO BE ENTITLED AN ACT TO PROVIDE A PROCEDURE FOR THE FILLING OF VACANCIES IN ELECTIVE OFFICE IN THE TOWN OF CHINA GROVE, is read the first time and is referred to the Committee on Local Government No. 2.

CALENDAR

Action is taken on the following:

Committee Substitute for H. B. 574, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TOWN OF MAIDEN TO MAKE STREET IMPROVEMENTS AND ASSESS THE COST AGAINST ABUTTING PROPERTY OWNERS WITHOUT A PETITION, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Fenner, Fletcher, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holmes, Holt, C. Hughes, J. Hughes, Hunt, Huskins, Jarrell, Jeralds, Jones, Jordan, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Pool, Poovey, Pulley, Rhodes, Roberts, Seymour, Spaulding, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 99.

Voting in the negative: None.

Excused absences: Representatives Burnley, Foster, Helms, Hudson, Keesee, and Spoon — 6.

Committee Substitute for H. B. 623, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF KING IN STOKES COUNTY, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Fenner, Fletcher, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holmes, Holt, C. Hughes, J. Hughes, Hunt, Huskins, Jarrell, Jeralds, Jones, Jordan, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt,

Owens, Pool, Poovey, Pulley, Redding, Rhodes, Roberts, Seymour, Spaulding, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 101.

Voting in the negative: None.

Excused absences: Representatives Burnley, Foster, Helms, Hudson, Keesee, and Spoon — 6.

H. B. 883, A BILL TO BE ENTITLED AN ACT TO REGULATE THE USE OF FIREARMS ON PUBLIC HIGHWAYS IN THE COUNTIES OF HOKE AND ROBESON.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

S. B. 103, A BILL TO BE ENTITLED AN ACT TO EXTEND THE MENTAL HEALTH STUDY COMMISSION.

On motion of Representative Barker, consideration of the bill is postponed until May 4, 1983.

Committee Substitute for H. B. 517, A BILL TO BE ENTITLED AN ACT TO REVISE THE STATUTES RELATING TO THE STATE AUDITOR.

On motion of Representative Wright, the bill is re-referred to the Committee on Appropriations.

Committee Substitute No. 2 for H. B. 345, A BILL TO BE ENTITLED AN ACT TO ALLOW WATER AND SEWER AUTHORITIES TO DEFEND OFFICERS, EMPLOYEES, AND GOVERNING BOARD MEMBERS AND PAY ANY OR ALL OF A CLAIM MADE OR CIVIL JUDGMENT ENTERED AGAINST ANY OF THEM.

On motion of Representative Rhodes, consideration of the bill is postponed until May 3, 1983.

S. J. R. 211, A JOINT RESOLUTION URGING THE UNITED STATES GOVERNMENT TO REFRAIN FROM OCEAN DISPOSAL OF DECOMMISSIONED NUCLEAR SUBMARINES OFF THE NORTH CAROLINA COAST.

Representative Evans offers Amendment No. 1 which is adopted.

On motion of Representative Hunt, the resolution, and Amendment No. 1 are re-referred to the Committee on Rules and Operation of the House.

Committee Substitute for H. B. 543, A BILL TO BE ENTITLED AN ACT TO PERMIT THE ISSUANCE OF A CERTIFICATE OF NEED FOR NURSING HOMES IN QUALIFYING COUNTIES THAT DO NOT HAVE NURSING HOMES, passes its second reading, by electronic vote (107-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 196, AN ACT TO AMEND G. S. 20-57(e) PERTAINING TO THE DIVISION ISSUING CERTIFICATE OF TITLES AND REGISTRATION CARDS.

H. B. 285, AN ACT PROVIDING THAT PERSONALIZED PLATES FOR COMMERCIAL VEHICLES SHALL NOT HAVE THE WORD "COMMERCIAL" ON THEM AND REGULATING THE REPLACEMENT OF REGISTRATION PLATES.

H. B. 342, AN ACT TO PERMIT ALTERNATIVE MARKINGS ON VEHICLES TRANSPORTING DANGEROUS ARTICLES THAT STOP AT RAILROAD CROSSINGS.

H. B. 873, AN ACT AMENDING G. S. 160A-456 TO CLARIFY THE AUTHORITY OF THE CITY OF DURHAM TO MAKE GRANTS AND LOANS FOR THE ECONOMIC DEVELOPMENT OF BUSINESSES SERVING THE NEEDS OF PERSONS OF LOW AND MODERATE INCOME.

H. B. 597, AN ACT TO INCORPORATE THE TOWN OF WEDDINGTON IN UNION COUNTY.

S. B. 151, AN ACT TO COMMEMORATE THE DATE OF THE ADOPTION OF THE HALIFAX RESOLVES ON THE GREAT SEAL OF NORTH CAROLINA.

S. B. 271, AN ACT TO AMEND G. S. 113-229 RELATING TO PERMITS, APPEALS, AND HEARINGS REGARDING DREDGING AND FILLING.

On motion of Representative Hunt, seconded by Representative Nash, the House adjourns to reconvene May 3, 1983 at 1:30 p.m.

EIGHTIETH DAY

HOUSE OF REPRESENTATIVES
Tuesday, May 3, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Mr. Albert Long.

Representative Quinn, for the Committee on Rules and Operation of the House, reports the Journal of May 2 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Brubaker, Bumgardner, Foster, and Spoon for today.

The Speaker recognizes Representative Beard who is granted permission to approach the Well of the House. Representative Beard introduces Albert Long, one of two Four-Letter Athletes who have graduated from the University of North Carolina, a youth motivation speaker and President of Happening, Inc.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Quinn for the Committee on Finance:

H. B. 394, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF LUMBERTON TO IMPOSE A TAX ON AUTOMOBILES OF NOT MORE THAN FIVE DOLLARS, with an indefinite postponement report.

H. B. 568, A BILL TO BE ENTITLED AN ACT TO PERMIT THE TOWNS OF CLINTON AND GRIFTON TO COLLECT AUTO TAXES OF NOT MORE THAN FIVE DOLLARS, with an indefinite postponement report.

H. B. 582, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CITY OF CLINTON TO COLLECT AN AUTO TAX OF NOT MORE THAN FIVE DOLLARS, with an indefinite postponement report.

H. B. 695, A BILL TO BE ENTITLED AN ACT RAISING CERTAIN FEES COLLECTED BY THE SECRETARY OF STATE AND APPROPRIATING FUNDS TO THE SECRETARY OF STATE, with a favorable report, and recommendation that the bill be re-referred to the Committee on Appropriations.

By Representative Pulley for the Committee on Judiciary No. 4:

H. B. 790, A BILL TO BE ENTITLED AN ACT TO PERMIT ENFORCEMENT OF ALIMONY JUDGMENTS WHILE ON APPEAL, with a favorable report.

S. B. 224, A BILL TO BE ENTITLED AN ACT TO REDEFINE THE TERMS "DETECTION OF DECEPTION EXAMINER" AS USED IN THE PRIVATE PROTECTIVE SERVICES ACT, with a favorable report.

By Representative Wright for the Committee on Judiciary No. 2:

S. B. 350, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT DAY-CARE FACILITIES OPERATED BY OR UNDER THE SUPERVISION OF CHURCHES, SYNAGOGUES, OR SCHOOLS OF RELIGIOUS CHARTER SHALL NOT BE REQUIRED TO OBTAIN LICENSES BUT SHALL BE SUBJECT TO DAY-CARE STANDARDS FOR HEALTH AND SAFETY, with an unfavorable report as to bill, favorable as to House committee substitute bill, which changes the title.

The House Committee substitute bill is placed on the Calendar for May 5, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 682, A BILL TO BE ENTITLED AN ACT TO ALLOW THE USE OF THE STATE COURIER SERVICE OR A COMMON OR CONTRACT CARRIER IN ADDITION TO THE UNITED STATES MAIL FOR PURPOSES OF MAINTAINING A CHAIN OF CUSTODY, with a favorable report.

By Representative Chapin for the Committee on Education:

H. B. 592, A BILL TO BE ENTITLED AN ACT TO ALLOW THE NEW HANOVER COUNTY BOARD OF EDUCATION TO PAY ITS TEN-MONTH EMPLOYEES ON OR BEFORE THE EIGHTEENTH DAY OF EACH MONTH, with a favorable report.

H. B. 852, A BILL TO BE ENTITLED AN ACT TO MAKE THE SAME SCHOOL CONSOLIDATION AND DISCONTINUANCE OF SCHOOLS PROCEDURES APPLICABLE TO ALL PUBLIC SCHOOLS, with a favorable report.

By Representative Church for the Committee on State Government:

Committee Substitute for S. B. 37, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A COMPUTER COMMISSION AND TO GIVE THIS COMMISSION AUTHORITY OVER INFORMATION PROCESSING, with a favorable report, as amended.

By Representative Lancaster for the Committee on Judiciary No. 3:

H. B. 868, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SPEEDY TRIALS BY DELETING THE REQUIREMENT THAT A DEFENDANT MAY NOT BE TRIED WITHOUT HIS CONSENT DURING THE SAME WEEK HE IS ARRAIGNED, with a favorable report.

By Representative Miller for the Committee on Judiciary No. 1:

H. B. 796, A BILL TO BE ENTITLED AN ACT TO PERMIT THE CHARLOTTE/MECKLENBURG COUNTY SCHOOLS TO EXTEND THE PROBATIONARY PERIOD FOR NONTENURED TEACHERS AND TO ELIMINATE THE REDUCTION IN THE PROBATIONARY PERIOD FOR TEACHERS IT EMPLOYS WHO ALREADY HAVE TENURE IN ANOTHER NORTH CAROLINA SCHOOL SYSTEM, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for May 5, 1983. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Watkins and Hackney:

H. B. 990, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS BY CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA, is referred to the Committee on Appropriations.

By Representatives Mavretic and Hackney:

H. B. 991, A BILL TO BE ENTITLED AN ACT TO PLACE A MORATORIUM ON THE USE OF HAZARDOUS WASTE LANDFILL FACILITIES FOR LANDFILLS NOT AN INTEGRAL PART OF A TREATMENT FACILITY, is referred to the Committee on Natural and Economic Resources.

By Representatives Rhodes and Payne:

H. B. 992, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO OFFENDER AID AND RESTORATION OF WILMINGTON, is referred to the Committee on Appropriations.

By Representative Seymour:

H. B. 993, A BILL TO BE ENTITLED AN ACT TO EXEMPT INTERNAL ENGINEERING ACTIVITIES FOR THE PRODUCTION OF THE PROCESS OR SYSTEM AS WELL AS A PRODUCT, is referred to the Committee on Judiciary No. 1.

On motion of Representative Chapin, Rule 31.1 is suspended by a two-thirds majority vote in order for a local bill to be filed.

On motion of Representative Chapin, the rules are suspended and the following is introduced and read the first time:

By Representatives Chapin and Evans (by request):

H. B. 997, A BILL TO BE ENTITLED AN ACT TO PROVIDE A METHOD FOR FILLING VACANCIES ON THE WASHINGTON COUNTY BOARD OF EDUCATION, Is referred to the Committee on Education.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S. B. 248, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 899 OF THE SESSION LAWS OF 1953 RELATING TO INVESTMENTS AND MONTHLY BENEFITS UNDER THE GREENSBORO FIREMEN'S SUPPLEMENTAL RETIREMENT SYSTEM, is read the first time and is referred to the Committee on Pensions and Retirement.

S. B. 277, A BILL TO BE ENTITLED AN ACT TO CHANGE THE WAITING PERIOD FOR RETIREMENT REFUNDS IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND UNIFORM JUDICIAL RETIREMENT SYSTEM, is read the first time and is referred to the Committee on Pensions and Retirement.

S. B. 306, A BILL TO BE ENTITLED AN ACT TO PERMIT CONSULAR OR DIPLOMATIC PLATES TO BE ISSUED TO ACCREDITED PERSONS WITHOUT REGARD TO THEIR COUNTRY OF NATIONALITY, is read the first time and is referred to the Committee on Transportation.

S. B. 408, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING PLUMBING AND HEATING CONTRACTORS TO REDEFINE "HEATING, GROUP NUMBER THREE" AND "CONTRACTOR", is read the first time and is referred to the Committee on Manufacturers and Labor.

Senate Committee Substitute No. 2 for H. B. 504, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM HIGHWAY 306 IN CRAVEN COUNTY, is returned for concurrence in Senate Committee Substitute No. 2 and is referred to the Committee on Wildlife Resources.

Representative Hackney sends forth the following Conference Report and moves its adoption:

CONFERENCE REPORT

May 3, 1983

To: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES:

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on H. B. 331, A BILL TO BE ENTITLED AN ACT TO CHANGE THE ELIGIBILITY FOR APPOINTMENT OF COUNSEL FOR INDIGENTS FOR REHEARINGS PURSUANT TO CHAPTER 122 OF THE GENERAL STATUTES, wish to report as follows:

1. The Senate recedes from its Amendment # 1.

2. The bill is amended on page 1, line 12, by renumbering "Sec. 2." as "Sec. 3."; and by inserting a new Section 2 to read as follows:

"Sec. 2. G. S. 122-58.12(c) is further amended by inserting a new sentence immediately preceding the word 'Counsel' in the second sentence to read:

'No mileage or compensation for travel time shall be paid to a counsel appointed pursuant to this subsection.' "

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 3rd day of May, 1983.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ Elton Edwards	S/ Joe Hackney
S/ R. C. Soles, Jr.	S/ Anne Barnes
S/ Joseph E. Johnson	S/ Daniel H. DeVane

The Conference Report is adopted, by electronic vote (106-0), and the Senate is so notified by Special Message.

SUSPENSION OF RULES TO INTRODUCE LOCAL BILLS

On motion of Representative Varner, Rule 31.1 is suspended by a two-thirds majority vote in order for a local bill to be filed.

On motion of Representative Owens, Rule 31.1 is suspended by a two-thirds majority vote in order for a local bill to be filed.

On motion of Representative Helms, H. B. 419, A BILL TO BE ENTITLED AN ACT TO DELETE THE OBSOLETE REQUIREMENTS THAT CLERKS OF COURT FURNISH AN INDIVIDUAL BOND AND THAT SHERIFFS FURNISH A BOND FOR THE COLLECTION OF TAXES, is withdrawn from the Committee on Courts and Administration of Justice and is re-referred to the Committee on Law Enforcement.

CALENDAR

Action is taken on the following:

Committee Substitute for H. B. 530, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ESTABLISHMENT OF A SPECIAL DEPUTY PROGRAM FOR THE SHERIFFS OF GUILFORD, DAVIDSON AND EDGECOMBE COUNTIES AND TO MAKE THE NORTH CAROLINA WORKER'S COMPENSATION ACT APPLICABLE TO MEMBERS OF THE SPECIAL DEPUTY PROGRAM.

Representative Grimsley offers Amendment No. 2 which is adopted. This amendment changes the title.

The bill remains on the Calendar.

H. B. 880, A BILL TO BE ENTITLED AN ACT ALTERING THE DISTRIBUTION OF PROFITS OF THE CITY OF HERTFORD ABC BOARD, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute No. 2 for H. B. 345, A BILL TO BE ENTITLED AN ACT TO ALLOW WATER AND SEWER AUTHORITIES TO DEFEND OFFICERS, EMPLOYEES, AND GOVERNING BOARD MEMBERS AND PAY ANY OR ALL OF A CLAIM MADE OR CIVIL JUDGMENT ENTERED AGAINST ANY OF THEM, passes its second reading by electronic vote (110-0).

Representative Payne objects to the third reading. The bill remains on the Calendar.

Committee Substitute for H. B. 791, A BILL TO BE ENTITLED AN ACT TO PERMIT ENFORCEMENT OF CHILD SUPPORT AND CUSTODY JUDGMENTS WHILE ON APPEAL, passes its second reading, by electronic vote (111-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 800, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 65 RELATING TO FUNERAL AND BURIAL TRUST FUNDS.

On motion of Representative Pulley, consideration of the bill is postponed until May 4, 1983.

H. B. 893, A BILL TO BE ENTITLED AN ACT AMENDING THE ELIGIBILITY REQUIREMENTS FOR ABC STORE AND MIXED BEVERAGE ELECTIONS AND THE AUTHORIZATION OF SPECIAL OCCASION AND LIMITED SPECIAL OCCASION PERMITS.

On motion of Representative Clark, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (103-6), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

On motion of Representative Hunt, seconded by Representative Easterling, the House adjourns to reconvene May 4, 1983 at 1:30 p.m.

EIGHTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Wednesday, May 4, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Lambeth.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of May 3 has been examined and found correct. Upon his motion, the Journal is approved as written.
Leaves of absence are granted Representatives Brubaker, Fenner, and Foster for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Fussell for the Committee on Highway Safety:

H. B. 605, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 20-13 AND G. S. 20-16 RELATING TO SUSPENSION OF DRIVERS' LICENSES OF PROVISIONAL LICENSEES AND LICENSEES HOLDING MOTOR VEHICLE OPERATORS' LICENSES, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for May 6, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 869, A BILL TO BE ENTITLED AN ACT TO PERMIT THE ROUTING OF SCHOOL BUSSES TO ALLOW THE RECEIVING AND DISCHARGING OF PASSENGERS ON DIVIDED ROADWAYS, with a favorable report.

By Representative Lilley for the Committee on Local Government No. 1:

H. B. 754, A BILL TO BE ENTITLED AN ACT TO ANNEX TERRITORY TO THE TOWN OF PILOT MOUNTAIN, with a favorable report.

H. B. 792, A BILL TO BE ENTITLED AN ACT TO ALLOW THE BURKE COUNTY BOARD OF COMMISSIONERS TO LEVY LOCAL SALES AND USE TAXES WITHOUT A REFERENDUM IF A REFERENDUM ON THE ISSUE HAS NOT BEEN DEFEATED WITHIN THE LAST THREE YEARS, AND TO RESTICT USE OF THE TAXES SO LEVIED. with an indefinite postponement report.

H. B. 801, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF SOUTHERN PINES, with a favorable report.

H. B. 840, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A. D. WARD TO CONVEY CERTAIN LANDS TO THE CITY OF NEW BERN, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for May 6, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 854, A BILL TO BE ENTITLED AN ACT TO AMEND THE WILMINGTON CITY CHARTER, with an unfavorable report as to bill, favorable as to committee substitute bill , which changes the title.

The substitute bill is placed on the Calendar for May 6, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 866, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CUMBERLAND COUNTY BOARD OF COMMISSIONERS TO CONDUCT AN ADVISORY REFERENDUM ON THE QUESTION OF A SUNDAY-CLOSING LAW, with a favorable report.

H. B. 870, A BILL TO BE ENTITLED AN ACT CONCERNING THE DEADLINE FOR MODIFYING THE BOUNDARIES OF DURHAM CITY ELECTION WARDS, with a favorable report.

H. B. 878, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE CITY OF DURHAM MAY CONTRACT WITH AND APPROPRIATE MONEY TO ANY PERSON, ASSOCIATION, OR CORPORATION FOR THE ACCOMPLISHMENT OF PUBLIC PURPOSES, with a favorable report.

H. B. 885, A BILL TO BE ENTITLED AN ACT TO INCORPORATE WITHIN THE TOWN OF MINT HILL CERTAIN UNANNEXED TERRITORY LYING WITHIN ITS OUTER BOUNDARIES, with a favorable report.

H. B. 890, A BILL TO BE ENTITLED AN ACT TO ALLOW ALL SANITARY DISTRICTS TO EXERCISE ALL POWERS PERMITTED BY THE SANITARY DISTRICT LAW, with a favorable report, as amended.

Committee Substitute for S. B. 231, A BILL TO BE ENTITLED AN ACT TO

ALLOW THE RUTHERFORD COUNTY BOARD OF COMMISSIONERS TO ESTABLISH A COUNTY POLICE FORCE, with a favorable report.

S. B. 322, A BILL TO BE ENTITLED AN ACT TO REWRITE THE CHARTER OF THE TOWN OF STONEVILLE, with a favorable report.

S. B. 348. A BILL TO BE ENTITLED AN ACT TO ALLOW SURRY COUNTY TO NAME AND ASSIGN STREET NUMBERS TO PRIVATE ROADS IN UNINCORPORATED AREAS, with a favorable report, as amended.

By Representative McDowell for the Committee on Corrections;

H. B. 830, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A COMMUNITY PENALTIES PROGRAM, with a favorable report, as amended.

By Representative B. Woodard for the Committee on Health:

S. B. 240, A BILL TO BE ENTITLED AN ACT TO AMEND THE RIGHT TO A NATURAL DEATH ACT, with a favorable report.

By Representative Hackney for the Committee on Energy:

S. B. 253, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 104D OF THE GENERAL STATUTES TO ENTER INTO THE SOUTHERN STATES ENERGY COMPACT AND TO ESTABLISH THE SOUTHERN STATES ENERGY BOARD, with a favorable report.

By Representative McAlister for the Committee on Water and Air Resources:

H. B. 738, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR STRICT LIABILITY FOR DAMAGES RESULTING FROM HAZARDOUS WASTES IN NORTH CAROLINA, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary No. 1.

H. B. 865, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES TO REGULATE DEVELOPMENT IN ESTUARINE WATERS AND PUBLIC TRUST LANDS UNDER NAVIGABLE WATERS, with a favorable report.

By Representative Colton for the Committee on Cultural Resources:

H. B. 609, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE MATCHING FUNDS TO ASSIST IN THE RESTORATION AND REHABILITATION OF THE GALLERY THEATRE IN HERTFORD COUNTY, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H. B. 610, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CONDUCT A SURVEY OF HISTORICALLY AND ARCHITECTURALLY SIGNIFICANT STRUCTURES IN THE TOWN OF AHOSKIE IN HERTFORD COUNTY AND TO PREPARE A NOMINATION OF A DOWNTOWN HISTORIC DISTRICT IN AHOSKIE TO THE NATIONAL REGISTER OF HISTORIC PLACES, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H. B. 614, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE MATCHING FUNDS FOR ENHANCEMENT OF THE CULTURAL PURPOSES OF WEYMOUTH CENTER, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H. B. 619, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO IMPROVE THE EDUCATIONAL PROGRAM AND EDUCATIONAL FACILITIES FOR HISTORIC HOPE PLANTATION IN BERTIE COUNTY, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H. B. 639, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR MALCOLM BLUE HISTORICAL SOCIETY, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H. B. 655, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST THE MARTIN COUNTY HISTORICAL SOCIETY, INC., IN THE RESTORATION OF THE ASA BIGGS HOMEPLACE, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H. B. 850, A BILL TO BE ENTITLED AN ACT TO ALLOW SALE OF HISTORIC PROPERTIES BY CITIES AND COUNTIES, with a favorable report.

By Representative Wicker for the Committee on Law Enforcement:

H. B. 219, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE WAKE COUNTY DEPUTY SHERIFFS TO PURCHASE THEIR REVOLVERS, with a favorable report, as amended.

By Representative Lutz for the Committee on Local Government No. 2:

H. B. 534, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF OAK HILL IN BURKE COUNTY, with an unfavorable report.

H. B. 590, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON TO DELETE REFERENCES TO THE POSITION OF CITY TREASURER, with a favorable report.

H. B. 591, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON TO PROVIDE FOR THE LICENSING AND REGULATION OF VEHICLES FOR HIRE, with a favorable report.

H. B. 798, A BILL TO BE ENTITLED AN ACT TO GRANT THE WINSTON-SALEM/FORSYTH COUNTY BOARD OF EDUCATION AUTHORITY TO SELL SURPLUS SCHOOL PROPERTY TO NONPROFIT ORGANIZATIONS BY PRIVATE NEGOTIATIONS AND SALE, with a favorable report.

H. B. 816, A BILL TO BE ENTITLED AN ACT PROHIBITING INTERFERENCE WITH AN EMERGENCY IN FORSYTH COUNTY, with a favorable report.

S. B. 190, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MITCHELL COUNTY TAX COLLECTOR FROM AN ELECTIVE TO AN APPOINTIVE POSITION, with a favorable report.

S. B. 201, A BILL TO BE ENTITLED AN ACT TO AMEND THE RESTRICTIONS ON FORCE ACCOUNT WORK AS APPLIED TO THE CITY OF MONROE, with a favorable report.

S. B. 310, A BILL TO BE ENTITLED AN ACT TO REVISE THE CHARTER OF THE TOWN OF JACKSON, with a favorable report.

H. B. 670, A BILL TO BE ENTITLED AN ACT REQUIRING THE OPERATOR OF ANY VESSEL OPERATED ON THE WATERS OF THE STATE TO STOP FOR A

BLUE LIGHT AND SIREN EXHIBITED BY ANY LAW ENFORCEMENT OFFICER DURING THE PERFORMANCE OF DUTIES, with a favorable report, as amended.

By Representative Helms for the Committee on Courts and Administration of Justice:

H. B. 455, A BILL TO BE ENTITLED AN ACT TO ESTABLISH UNIFORM REGULAR AND SPECIAL CONDITIONS OF PROBATION, with an unfavorable report as to bill, favorable as to committee substitute bill, and recommendation that the substitute bill be re-referred to the Committee on Finance.

The substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H. B. 471, A BILL TO BE ENTITLED AN ACT TO REQUIRE A SUPERVISION FEE OF ALL PERSONS PLACED ON PAROLE, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

On motion of Representative Quinn, H. B. 910, A BILL TO BE ENTITLED AN ACT CREATING THE NORTH CAROLINA AGRICULTURAL FACILITIES FINANCE AGENCY AND AUTHORIZING SAID AGENCY TO FINANCE THE CONSTRUCTION, ACQUISITION AND DEVELOPMENT OF AGRICULTURAL FACILITIES, is withdrawn from the Committee on Finance and is re-referred to the Committee on Constitutional Amendments.

On motion of Representative Black, H. B. 724, A BILL TO BE ENTITLED AN ACT TO LIMIT MOTORBOAT NOISE ON VARIOUS LAKES, is withdrawn from the Committee on Wildlife Resources and is re-referred to the Committee on Rules and Operation of the House.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Black:

H. B. 994, A BILL TO BE ENTITLED AN ACT TO PERMIT THE USE OF HANDGUNS IN TAKING BIG GAME MAMMALS, is referred to the Committee on Wildlife Resources.

By Representatives McDowell, Holt, Jordan, and McAlister:

H. B. 995, A BILL TO BE ENTITLED AN ACT TO GRANT CERTAIN DOMICILIARY CARE FACILITIES AN EXEMPTION FROM REPORTING AND UNIFORM CHART OF ACCOUNTS REQUIREMENTS, is referred to the Committee on Mental Health.

By Representatives Adams, Blue, Cook, Fussell, Musselwhite, and Stamey:

H. B. 996, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE RESTORATION OF THE SEABOARD COAST LINE BUILDING AND FOR ITS USE AS A MULTIPURPOSE CENTER, is referred to the Committee on State Properties.

By Representatives Fenner, Ballance, Blue, Edwards, Jeralds, Matthews, Mavretic, and Spaulding:

H. B. 998, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE OPPORTUNITIES INDUSTRIALIZATION CENTERS IN ROCKY MOUNT AND WILSON, is referred to the Committee on Appropriations.

By Representative Lilley:

H. B. 999, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE SALES AND USE TAX TREATMENT OF CERTAIN COMPUTER PROGRAMS USED BY TELEPHONE COMPANIES, is referred to the Committee on Finance.

By Representatives Fenner, Anderson, Beam, Clark, Colton, Bob Etheridge, Bruce Ethridge, Hayden, Hightower, Matthews, and Roberts:

H. B. 1000, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM AMOUNT MOTOR CLUBS MAY REIMBURSE FOR EMERGENCY ROAD SERVICE, is referred to the Committee on Insurance.

By Representative Owens:

H. B. 1001, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF ELLENBORO AND TO REPEAL PRIOR LOCAL ACTS, is referred to the Committee on Local Government No. 1.

By Representatives Seymour, Coble, J. W. Crawford, DeVane, Gist, Grimsley, Hayden, Jarrell, Keesee, and Mavretic:

H. B. 1002, A BILL TO BE ENTITLED AN ACT TO ALLOW LOCAL BOARDS OF EDUCATION TO OBTAIN REFUNDS OF SALES AND USE TAXES, is referred to the Committee on Finance.

By Representatives Seymour, J. W. Crawford, DeVane, Gist, Grimsley, Hayden, and Jarrell:

H. B. 1003, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IF PROPERTY OWNED BY A LOCAL BOARD OF EDUCATION IS NO LONGER SUITABLE OR NECESSARY FOR PUBLIC SCHOOL PURPOSES, TITLE SHALL PASS TO THE COUNTY, is referred to the Committee on Education.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H. B. 209, A BILL TO BE ENTITLED AN ACT TO EXEMPT TOW DOLLIES FROM CERTIFICATE OF TITLE AND REGISTRATION REQUIREMENTS FOR MOTOR VEHICLES, is returned for concurrence in Senate amendment and is placed on the Calendar for May 5, 1983.

Committee Substitute for S. B. 58, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 20-286(11) RELATING TO THE DEFINITION OF MOTOR VEHICLE DEALER, is read the first time and is referred to the Committee on Transportation.

Committee Substitute for S. B. 157, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE HIGH SCHOOL EMPLOYEES DESIGNATED BY THE SCHOOL BOARD AND APPOINTED BY THE COUNTY BOARD OF ELECTIONS TO REGISTER VOTERS, is read the first time and is referred to the Committee on Election Laws.

S. B. 410, A BILL TO BE ENTITLED AN ACT RELATING TO PUBLIC OBLIGATIONS IN REGISTERED FORM, is read the first time and is referred to the Committee on Judiciary No. 2.

CALENDAR

Action is taken on the following:

Committee Substitute for H. B. 530, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ESTABLISHMENT OF A SPECIAL DEPUTY PROGRAM FOR THE SHERIFFS OF CASWELL, DAVIDSON, EDGECOMBE, GRANVILLE, GUILFORD, HALIFAX, PERSON, VANCE AND WARREN COUNTIES AND TO MAKE THE NORTH CAROLINA WORKER'S COMPENSATION ACT APPLICABLE TO MEMBERS OF THE SPECIAL DEPUTY PROGRAM.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 592, A BILL TO BE ENTITLED AN ACT TO ALLOW THE NEW HANOVER COUNTY BOARD OF EDUCATION TO PAY ITS TEN-MONTH EMPLOYEES ON OR BEFORE THE EIGHTEENTH DAY OF EACH MONTH, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 193, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS CONCERNING THE ADVISORY BUDGET COMMISSION TO BOND ACTS TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE ON SEPARATION OF POWERS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brown, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fletcher, Fussell, Gentry, Gillam, Gist, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 108.

Voting in the negative: Representative Brawley.

Excused absences: Representatives Brubaker, Fenner, and Foster — 3.

Committee Substitute No. 2 for H. B. 345, A BILL TO BE ENTITLED AN ACT TO ALLOW WATER AND SEWER AUTHORITIES TO DEFEND OFFICERS, EMPLOYEES, AND GOVERNING BOARD MEMBERS AND PAY ANY OR ALL OF A CLAIM MADE OR CIVIL JUDGMENT ENTERED AGAINST ANY OF THEM, passes its third reading, by electronic vote (109-0), and is ordered sent to the Senate.

S. B. 103, A BILL TO BE ENTITLED AN ACT TO EXTEND THE MENTAL HEALTH STUDY COMMISSION.

Representative Barker offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

H. B. 524, A BILL TO BE ENTITLED AN ACT TO REPEAL ALL ADMINISTRATIVE RULES ADOPTED UNDER THE A. P. A. AND REQUIRE THEIR ADOPTION BY THE GENERAL ASSEMBLY.

On motion of Representative Watkins, consideration of the bill is postponed until May 10, 1983.

Committee Substitute for H. B. 800, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 65 RELATING TO FUNERAL AND BURIAL TRUST FUNDS.

Representative Bumgardner requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill passes its second reading by electronic vote (106-0).

Representative Pulley objects to the third reading and on his motion the bill is placed on the Calendar for May 10, 1983.

H. B. 790, A BILL TO BE ENTITLED AN ACT TO PERMIT ENFORCEMENT OF ALIMONY JUDGMENTS WHILE ON APPEAL.

Representative Slaughter offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

S. B. 224, A BILL TO BE ENTITLED AN ACT TO REDEFINE THE TERMS "DETECTION OF DECEPTION EXAMINER" AS USED IN THE PRIVATE PROTECTIVE SERVICES ACT, passes its second reading, by electronic vote (99-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

H. B. 682, A BILL TO BE ENTITLED AN ACT TO ALLOW THE USE OF THE STATE COURIER SERVICE OR A COMMON OR CONTRACT CARRIER IN ADDITION TO THE UNITED STATES MAIL FOR PURPOSES OF MAINTAINING A CHAIN OF CUSTODY, passes its second reading, by electronic vote (94-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 852, A BILL TO BE ENTITLED AN ACT TO MAKE THE SAME SCHOOL CONSOLIDATION AND DISCONTINUANCE OF SCHOOLS PROCEDURES APPLICABLE TO ALL PUBLIC SCHOOLS, passes its second reading, by electronic vote (96-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for S. B. 37, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A COMPUTER COMMISSION AND TO GIVE THIS COMMISSION AUTHORITY OVER INFORMATION PROCESSING.

On motion of Representative Huskins, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

H. B. 868, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SPEEDY TRIALS BY DELETING THE REQUIREMENT THAT A DEFENDANT MAY NOT BE TRIED WITHOUT HIS CONSENT DURING THE SAME WEEK HE IS ARRAIGNED.

On motion of Representative Lancaster, consideration of the bill is postponed until May 10, 1983.

On motion of Representative Hunt, seconded by Representative Auman, the House adjourns to reconvene May 5, 1983 at 1:30 p.m.

EIGHTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Thursday, May 5, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Colton.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of May 4 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Burnley, Cook, Evans, Foster, Fenner, James, Lancaster, and Stamey for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Quinn for the Committee on Finance:

S. B. 221, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 49 OF CHAPTER 106, RELATING TO HATCHERIES AND CHICK DEALERS, with a favorable report.

S. B. 254, A BILL TO BE ENTITLED AN ACT TO ALLOW THE GOVERNING BODY OF GASTON COUNTY OR ITS MUNICIPALITIES TO CONTRACT WITH BANKS AND OTHER FINANCIAL INSTITUTIONS FOR RECEIPT OF PAYMENT OF PROPERTY TAXES, with a favorable report.

By Representative Barker for the Committee on Mental Health:

S. B. 273, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE EMERGENCY ADMISSIONS OF JUVENILES TO TREATMENT FACILITIES, with a favorable report, as amended.

By Representative Bruce Ethridge for the Committee on Natural and Economic Resources:

H. B. 979, A BILL TO BE ENTITLED AN ACT TO PROVIDE AUTHORIZATION FOR GENERAL PERMITS UNDER THE DREDGE AND FILL LAW AND CLARIFICATION OF GENERAL PERMITS UNDER THE COASTAL AREA MANAGEMENT ACT, with a favorable report and placed on the Calendar for May 10, 1983.

S. B. 194, A BILL TO BE ENTITLED AN ACT TO REWRITE CERTAIN OF THE FOREST LAWS OF NORTH CAROLINA, with a favorable report and placed on the Calendar for May 10, 1983.

Committee Substitute for S. B. 269, A BILL TO BE ENTITLED AN ACT TO REFORM CERTAIN ADMINISTRATIVE PROCEDURES OF THE ENVIRONMENTAL MANAGEMENT COMMISSION, with a favorable report and placed on the Calendar for May 10, 1983.

By Representative Hunt for the Committee on Rules and Operation of the House:

H. J. R. 589, A JOINT RESOLUTION DESIGNATING WILMINGTON AS AN INTERNATIONAL CITY, with a favorable report.

H. J. R. 753, A JOINT RESOLUTION CONTINUING THE LEGISLATIVE RESEARCH COMMISSION STUDY ON THE TWELFTH GRADE, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H. J. R. 760, A JOINT RESOLUTION DIRECTING THE MENTAL HEALTH STUDY COMMISSION TO EXAMINE FUNDING POLICIES OF AREA MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE PROGRAMS, with a favorable report.

H. J. R. 896, A JOINT RESOLUTION AUTHORIZING A STUDY BY THE LEGISLATIVE RESEARCH COMMISSION OF MEANS BY WHICH THE MARKETING OF SEAFOOD PRODUCED BY FISHERMEN CAN BE IMPROVED, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H. B. 757, A BILL TO BE ENTITLED AN ACT TO CLARIFY PROVISIONS IN THE READABLE INSURANCE POLICIES ACT, with a favorable report.

By Representative Pulley for the Committee on Judiciary No. 4:

H. B. 162, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 66, ARTICLE 19, BUSINESS OPPORTUNITY SALES, with an indefinite postponement report.

H. B. 448, A BILL TO BE ENTITLED AN ACT TO AMEND SERVICE OF PROCESS IN SUMMARY EJECTMENT AND SMALL CLAIMS CASES, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for May 9, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 969, A BILL TO BE ENTITLED AN ACT TO CLARIFY PROCEDURES FOR CONTESTING DEBTS SUBMITTED FOR COLLECTION UNDER THE SETOFF DEBT COLLECTION ACT, with a favorable report.

By Representative Clark for the Committee on Alcoholic Beverage Control:

S. B. 256, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE QUALIFIED VOTERS OF THE TOWN OF BEECH MOUNTAIN TO DETERMINE WHETHER BEER AND WINE MAY BE SOLD IN THAT TOWN, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Watkins:

H. B. 1004, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO IMPLEMENT THE SAFE ROADS ACT OF 1983, is referred to the Committee on Appropriations.

By Representatives Seymour, Adams, Coble, Cook, Gist, Grimsley, Jarrell, and Keesee:

H. B. 1005, A BILL TO BE ENTITLED AN ACT TO REQUIRE FRANCHISORS ISSUING CREDIT OR DEBIT CHARGE CARDS TO CLEARLY DISCLOSE TO CARD USERS ANY FEES IMPOSED UPON FRANCHISEES FOR CONSUMER USAGE OF SUCH CARDS, is referred to the Committee on Judiciary No. 1.

By Representative Miller:

H. B. 1006, A BILL TO BE ENTITLED AN ACT TO REQUIRE DESIGNATED AGENTS TO BE BONDED, is referred to the Committee on Insurance.

By Representatives Cook, Adams, Blue, Fussell, Stamey, and Watkins:

H. B. 1007, A BILL TO BE ENTITLED AN ACT TO IMPOSE PROGRESSIVE STATE SALES AND USE TAX RATES ON CARS AND CERTAIN OTHER VEHICLES AND TO INCREASE THE FEE FOR TRANSFER OF REGISTRATION OF A MOTOR VEHICLE, is referred to the Committee on Finance.

By Representatives James, Gillam, Lambeth, and Nash:

H. B. 1008, A BILL TO BE ENTITLED AN ACT TO PERMIT AGRICULTURAL COMMODITY ASSOCIATIONS TO RECOVER AUDIT COSTS, is referred to the Committee on Agriculture.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H. B. 472, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DISPOSITION OF CONTRABAND CONFISCATED FROM PRISONERS, is returned for concurrence in Senate amendment and is placed on the Calendar for May 6, 1983.

CALENDAR

Action is taken on the following:

H. B. 209, A BILL TO BE ENTITLED AN ACT TO EXEMPT TOW DOLLIES FROM CERTIFICATE OF TITLE AND REGISTRATION REQUIREMENTS FOR MOTOR VEHICLES.

On motion of Representative Brannan, consideration of the bill is postponed until May 6, 1983.

H. B. 754, A BILL TO BE ENTITLED AN ACT TO ANNEX TERRITORY TO THE TOWN OF PILOT MOUNTAIN, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Allran, Anderson, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Chapin, Childress, Church, Coble, Cochrane, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fletcher, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunter, Huskins, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lee, Ligon, Lilley, Locks, Lutz, McDowell, Matthews, Mauney, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Seymour, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, and Wright — 94.

Voting in the negative: None.

Excused absences: Representatives Burnley, Cook, Evans, Fenner, Foster, James, Lancaster, and Stamey — 8.

H. B. 801, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF SOUTHERN PINES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Allran, Anderson, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Chapin, Childress, Church, Coble, Cochrane, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fletcher, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunter, Huskins, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lee, Ligon, Lilley, Locks, Lutz, McDowell, Matthews, Mauney, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Seymour, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, and Wright — 94.

Voting in the negative: None.

Excused absences: Representatives Burnley, Cook, Evans, Fenner, Foster, James, Lancaster, and Stamey — 8.

H. B. 885, A BILL TO BE ENTITLED AN ACT TO INCORPORATE WITHIN THE TOWN OF MINT HILL CERTAIN UNANNEXED TERRITORY LYING WITHIN ITS OUTER BOUNDARIES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Allran, Anderson, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Bowen, Brannan, Brawley, Brennan,

Brown, Brubaker, Chapin, Childress, Church, Coble, Cochrane, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fletcher, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunter, Huskins, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lee, Ligon, Lilley, Locks, Lutz, McDowell, Matthews, Mauney, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Seymour, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, and Wright — 94.

Voting in the negative: None.

Excused absences: Representatives Burnley, Cook, Evans, Fenner, Foster, James, Lancaster, and Stamey — 8.

S. B. 322, A BILL TO BE ENTITLED AN ACT TO REWRITE THE CHARTER OF THE TOWN OF STONEVILLE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Allran, Anderson, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Chapin, Childress, Church, Coble, Cochrane, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fletcher, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunter, Huskins, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lee, Ligon, Lilley, Locks, Lutz, McDowell, Matthews, Mauney, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Seymour, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, and Wright — 94.

Voting in the negative: None.

Excused absences: Representatives Burnley, Cook, Evans, Fenner, Foster, James, Lancaster, and Stamey — 8.

S. B. 310, A BILL TO BE ENTITLED AN ACT TO REVISE THE CHARTER OF THE TOWN OF JACKSON, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Allran, Anderson, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Chapin, Childress, Church, Coble, Cochrane, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fletcher, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunter, Huskins, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lee, Ligon, Lilley, Locks, Lutz, McDowell, Matthews, Mauney, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Seymour, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, and Wright — 94.

Voting in the negative: None.

Excused absences: Representatives Burnley, Cook, Evans, Fenner, Foster, James, Lancaster, and Stamey — 8.

Committee Substitute for H. B. 796, A BILL TO BE ENTITLED AN ACT TO PERMIT A LOCAL SCHOOL ADMINISTRATIVE UNIT WITH MORE THAN 70,000 STUDENTS TO EXTEND THE PROBATIONARY PERIOD FOR NONTENURED TEACHERS, passes its second reading, by electronic vote (70-36).

Representative Redding objects to the third reading. The bill remains on the Calendar.

H. B. 866, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CUMBERLAND COUNTY BOARD OF COMMISSIONERS TO CONDUCT AN ADVISORY REFERENDUM ON THE QUESTION OF A SUNDAY-CLOSING LAW, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 870, A BILL TO BE ENTITLED AN ACT CONCERNING THE DEADLINE FOR MODIFYING THE BOUNDARIES OF DURHAM CITY ELECTION WARDS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 878, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE CITY OF DURHAM MAY CONTRACT WITH AND APPROPRIATE MONEY TO ANY PERSON, ASSOCIATION, OR CORPORATION FOR THE ACCOMPLISHMENT OF PUBLIC PURPOSES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for S. B. 231, A BILL TO BE ENTITLED AN ACT TO ALLOW THE RUTHERFORD COUNTY BOARD OF COMMISSIONERS TO ESTABLISH A COUNTY POLICE FORCE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 348, A BILL TO BE ENTITLED AN ACT TO ALLOW SURRY COUNTY TO NAME AND ASSIGN STREET NUMBERS TO PRIVATE ROADS IN UNINCORPORATED AREAS.

On motion of Representative Diamont, Committee Amendment No. 1 is adopted. This amendment changes the title.

The bill, as amended, passes its second reading and remains on the Calendar.

H. B. 219, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE WAKE COUNTY DEPUTY SHERIFFS TO PURCHASE THEIR REVOLVERS.

On motion of Representative Brannan, consideration of the bill is postponed until May 6, 1983.

H. B. 590, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON TO DELETE REFERENCES TO THE POSITION OF CITY TREASURER, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 591, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF

THE CITY OF WILMINGTON TO PROVIDE FOR THE LICENSING AND REGULATION OF VEHICLES FOR HIRE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 816, A BILL TO BE ENTITLED AN ACT PROHIBITING INTERFERENCE WITH AN EMERGENCY IN FORSYTH COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S. B. 190, A BILL TO BE ENTITLED AN ACT TO CHANGE THE MITCHELL COUNTY TAX COLLECTOR FROM AN ELECTIVE TO AN APPOINTIVE POSITION.

Representative J. Hughes offers Amendment No. 1.

On motion of Representative Adams, seconded by Representative Wicker, Amendment No. 1 is tabled by electronic vote (84-22).

A division having been called, the bill passes its second reading, by electronic vote (80-24), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 201, A BILL TO BE ENTITLED AN ACT TO AMEND THE RESTRICTIONS ON FORCE ACCOUNT WORK AS APPLIED TO THE CITY OF MONROE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

H. B. 798, A BILL TO BE ENTITLED AN ACT TO GRANT THE WINSTON-SALEM/FORSYTH COUNTY BOARD OF EDUCATION AUTHORITY TO SELL SURPLUS SCHOOL PROPERTY TO NONPROFIT ORGANIZATIONS BY PRIVATE NEGOTIATIONS AND SALE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 670, A BILL TO BE ENTITLED AN ACT REQUIRING THE OPERATOR OF ANY VESSEL OPERATED ON THE WATERS OF THE STATE TO STOP FOR A BLUE LIGHT AND SIREN EXHIBITED BY ANY LAW ENFORCEMENT OFFICER DURING THE PERFORMANCE OF DUTIES.

On motion of Representative Easterling, Committee Amendment No. 1 is adopted.

Representative Easterling offers Amendment No. 2 which is adopted. This amendment changes the title.

The bill, as amended, passes its second reading and remains on the Calendar.

Committee Substitute for H. B. 193, A BILL TO BE ENTITLED AN ACT TO MAKE ADMENDMENTS CONCERNING THE ADVISORY BUDGET COMMISSION TO BOND ACTS TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE ON SEPARATION OF POWERS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Allran, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Coble, Cochrane, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fletcher, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, Jarrell, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Rabon, Redding, Roberts, Robinson, Seymour, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 101.

Voting in the negative: None.

Excused absences: Representatives Burnley, Cook, Evans, Fenner, Foster, James, Lancaster, and Stamey — 8.

H. B. 890, A BILL TO BE ENTITLED AN ACT TO ALLOW ALL SANITARY DISTRICTS TO EXERCISE ALL POWERS PERMITTED BY THE SANITARY DISTRICT LAW.

On motion of Representative Bruce Ethridge, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by the following vote.

Those voting in the affirmative are: Representatives Adams, Allran, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Coble, Cochrane, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fletcher, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, Hunt, Hunter, Huskins, Jarrell, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Rabon, Redding, Roberts, Seymour, Slaughter, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 99.

Voting in the negative: None.

Excused absences: Representatives Burnley, Cook, Evans, Fenner, Foster, James, Lancaster, and Stamey — 8.

On motion of Representative Bruce Ethridge, the third reading of the bill is postponed until May 10, 1983.

House Committee Substitute for S. B. 350, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT DAY-CARE FACILITIES OPERATED BY CHURCHES, SYNAGOGUES, OR SCHOOLS OF RELIGIOUS CHARTER SHALL NOT BE REQUIRED TO OBTAIN LICENSES BUT SHALL BE SUBJECT TO DAY-CARE STANDARDS FOR HEALTH AND SAFETY, passes its second reading, by electronic vote (83-12), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

H. B. 869, A BILL TO BE ENTITLED AN ACT TO PERMIT THE ROUTING OF SCHOOL BUSSES TO ALLOW THE RECEIVING AND DISCHARGING OF PASSENGERS ON DIVIDED ROADWAYS, passes its second reading, by electronic vote (89-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 830, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A COMMUNITY PENALTIES PROGRAM.

On motion of Representative Hackney, Committee Amendment No. 1 is adopted.

On motion of Representative Hackney, the bill is ordered engrossed and re-referred to the Committee on Appropriations.

S. B. 240, A BILL TO BE ENTITLED AN ACT TO AMEND THE RIGHT TO A NATURAL DEATH ACT.

On motion of Representative B. Woodard, consideration of the bill is postponed until May 11, 1983.

S. B. 253, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 104D OF THE GENERAL STATUTES TO ENTER INTO THE SOUTHERN STATES ENERGY COMPACT AND TO ESTABLISH THE SOUTHERN STATES ENERGY BOARD, passes its second reading, by electronic vote (86-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

H. B. 865, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES TO REGULATE DEVELOPMENT IN ESTUARINE WATERS AND PUBLIC TRUST LANDS UNDER NAVIGABLE WATERS, passes its second reading by electronic vote (96-0).

Representative Payne objects to the third reading. The bill remains on the Calendar.

H. B. 850, A BILL TO BE ENTITLED AN ACT TO ALLOW SALE OF HISTORIC PROPERTIES BY CITIES AND COUNTIES, passes its second reading, by electronic vote (91-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
May 4, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the Senate adopts the report of the conferees on H. B. 331, A BILL TO BE ENTITLED AN ACT TO CHANGE THE ELIGIBILITY FOR APPOINTMENT OF COUNSEL FOR INDIGENTS FOR REHEARINGS PURSUANT TO CHAPTER 122 OF THE GENERAL STATUTES, to the end that when a similar action has been taken on the part of the House, you may order the bill enrolled.

Respectfully,
S/ SYLVIA M. FINK
Principal Clerk

The Speaker orders the bill enrolled.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. B. 224, AN ACT TO REDEFINE THE TERMS "DETECTION OF DECEPTION EXAMINER" AS USED IN THE PRIVATE PROTECTIVE SERVICES ACT.

H. B. 585, AN ACT REGARDING JURISDICTION OF THE PINEHURST POLICE.

H. B. 593, AN ACT TO AUTHORIZE DAY-CARE LICENSING INSPECTIONS.

H. B. 608, AN ACT TO PROVIDE AN ADDITIONAL MEMBER ON THE EDGECOMBE COUNTY BOARD OF EDUCATION AND TO PROVIDE FOR THE NOMINATION AND ELECTION OF MEMBERS OF THE EDGECOMBE COUNTY BOARD OF EDUCATION.

H. B. 611, AN ACT TO PROVIDE THAT THE COMPENSATION OF THE CUMBERLAND COUNTY BOARD OF EDUCATION WILL BE SET BY GENERAL LAW.

H. B. 669, AN ACT TO ESTABLISH RESPONSIBILITY FOR DIRT, MUD, AND OTHER DEBRIS ON PUBLIC ROADWAYS AND SIDEWALKS AS A RESULT OF CONSTRUCTION.

H. B. 765, AN ACT TO ALLOW PRINCEVILLE TO ENTER INTO CONTRACTS FOR THE REDEVELOPMENT OF LAND, DISPOSE OF LAND AT PRIVATE SALE AND ALLOWING THE TOWN TO APPROVE A NONPROFIT CORPORATION WHICH MAY ISSUE BONDS AND LEND THE PROCEEDS TO A DEVELOPER, RELATING TO REDEVELOPMENT.

H. B. 788, AN ACT TO ALLOW THE MAYOR OF THE CITY OF NEW BERN TO VOTE ON ALL MATTERS BEFORE THE BOARD OF ALDERMEN.

On motion of Representative Hunt, seconded by Representative Gillam, the House adjourns to reconvene May 6, 1983 at 10:30 a.m.

EIGHTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Friday, May 6, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend Bill Bradley, Goldsboro, North Carolina.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of May 5 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Beard, Black, Bowen, Burnley, Brawley, Bruce Ethridge, Fenner, Foster, Gist, Hunter, Jones, Lancaster, Ligon, Mavretic, Mauney, and Wright for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Hunt for the Committee on Rules and Operation of the House:

H. J. R. 340, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JONAS MELVIN (JACK) GARDNER, A FORMER MEMBER OF THE GENERAL ASSEMBLY FROM JOHNSTON COUNTY, with a favorable report.

By Representative Gentry for the Committee on Election Laws:

S. B. 362, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PARTISAN ELECTIONS FOR THE TOWN OF WOODFIN, with a favorable report.

By Representative Watkins for the Committee on Appropriations:

Committee Substitute for H. B. 368, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 97 OF THE GENERAL STATUTES TO DEFINE INJURY BY ACCIDENT FOR WORKERS' COMPENSATION, with a favorable report, as amended, and placed on the Calendar for May 11, 1983.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Seymour:

H. B. 1009, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 58-79(a) PERTAINING TO LIFE INSURANCE COMPANY INVESTMENTS IN FUTURES CONTRACTS, is referred to the Committee on Insurance.

By Representative McDowell:

H. B. 1010, A BILL TO BE ENTITLED AN ACT MAKING FORGERY OF UNITED STATES TREASURY CHECKS A VIOLATION OF THE STATE FORGERY STATUTE, is referred to the Committee on Judiciary No. 4.

By Representatives Lancaster and C. Woodard:

H. B. 1011, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CONSTRUCTION OF A BOATING ACCESS AREA ON THE NEUSE RIVER AT SEVEN SPRINGS IN WAYNE COUNTY, is referred to the Committee on Appropriations.

By Representatives Varner, Lambeth, and Cochrane:

H. B. 1012, A BILL TO BE ENTITLED AN ACT TO AMEND THE RESTRICTIONS ON FORCE ACCOUNTS AS APPLIED TO DAVIDSON COUNTY.

On motion of Representative Varner, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading and there being no objcetion is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

By Representatives Grimsley, Coble, Gillam, Gist, Hasty, Holmes, C. Hughes, Jarrell, Keesee, Payne, Seymour, and Tennille:

H. B. 1013, A BILL TO BE ENTITLED AN ACT TO RESTRICT THE USE OF UNMARKED CARS BY THE STATE HIGHWAY PATROL AND TO PROHIBIT THE USE OF VEHICLES SIMILAR IN APPEARANCE TO HIGHWAY PATROL CARS OR UNIFORMS SIMILAR TO HIGHWAY PATROL UNIFORMS BY OTHER AGENCIES, is referred to the Committee on Highway Safety.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H. B. 653, A BILL TO BE ENTITLED AN ACT TO CLARIFY A PUTATIVE FATHER'S RIGHT TO NOTICE OF AN ADOPTION, is returned for concurrence in Senate amendment and is placed on the Calendar for May 9, 1983.

H. B. 680, A BILL TO BE ENTITLED AN ACT TO REQUIRE COUNTY DIRECTORS OF SOCIAL SERVICES TO RESPOND TO REQUESTS FOR CONSENT TO SEPARATE AN INFANT FROM ITS PARENT, is returned for concurrence in Senate amendment and is placed on the Calendar for May 9, 1983.

H. B. 713, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO VARIOUS STATUTES AFFECTING CRIMINAL LAW, is returned for concurrence in Senate amendment and is placed on the Calendar for May 9, 1983.

S. B. 431, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT CONDOMINIUMS IN THE TOWN OF ATLANTIC BEACH SHALL BE CONSIDERED TO BE TRACTS OF FIVE ACRES OR LESS FOR THE PURPOSE OF THE ANNEXATION LAW, is read the first time and is referred to the Committee on Local Government No. 1.

S. B. 447, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GENERAL LAW AS TO VOTER ASSISTANCE APPLIES IN CHEROKEE COUNTY, is read the first time and is referred to the Committee on Election Laws.

On motion of Representative Spaulding, H. B. 983, A BILL TO BE ENTITLED AN ACT TO PROVIDE A DUTY-FREE LUNCH PERIOD FOR TEACHERS AND AIDES, is withdrawn from the Committee on Education and is re-referred to the Committee on Appropriations.

On motion of Representative Brennan, H. B. 115, A BILL TO BE ENTITLED AN ACT TO MANDATE THE LICENSING OF RESIDENTIAL GROUP CARE FACILITIES FOR CHILDREN, is withdrawn from the Committee on Human Resources and is re-referred to the Committee on State Government.

CALENDAR

Action is taken on the following:

H. B. 209, A BILL TO BE ENTITLED AN ACT TO EXEMPT TOW DOLLIES FROM CERTIFICATE OF TITLE AND REGISTRATION REQUIREMENTS FOR MOTOR VEHICLES.

On motion of Representative Stamey, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 472, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DISPOSITION OF CONTRABAND CONFISCATED FROM PRISONERS.

On motion of Representative Enloe, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 754, A BILL TO BE ENTITLED AN ACT TO ANNEX TERRITORY TO THE TOWN OF PILOT MOUNTAIN, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Ballance, Barker, Beall, Beam, Berry, Blue, Brannan, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Fussell, Gentry, Gillam, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Huskins, James, Jarrell, Jeralds, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, and C. Woodard — 91.

Voting in the negative: None.

Excused absences: Representatives Beard, Black, Bowen, Brawley, Burnley, Bruce Ethridge, Fenner, Foster, Hunter, Jones, Lancaster, Ligon, Mauney, Mavretic, and Wright — 15.

H. B. 801, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE TOWN OF SOUTHERN PINES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Ballance, Barker, Beall, Beam, Berry, Blue, Brannan, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Fussell, Gentry, Gillam, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Huskins, James, Jarrell, Jeralds, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, and C. Woodard — 91.

Voting in the negative: None.

Excused absences: Representatives Beard, Black, Bowen, Brawley, Burnley, Bruce Ethridge, Fenner, Foster, Hunter, Jones, Lancaster, Ligon, Mauney, Mavretic, and Wright — 15.

H. B. 885, A BILL TO BE ENTITLED AN ACT TO INCORPORATE WITHIN THE TOWN OF MINT HILL CERTAIN UNANNEXED TERRITORY LYING WITHIN ITS OUTER BOUNDARIES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Ballance, Barker, Beall, Beam, Berry, Blue, Brannan, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge,

Fussell, Gentry, Gillam, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Huskins, James, Jarrell, Jeralds, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, and C. Woodard — 91.

Voting in the negative: None.

Excused absences: Representatives Beard, Black, Bowen, Brawley, Burnley, Bruce Ethridge, Fenner, Foster, Hunter, Jones, Lancaster, Ligon, Mauney, Mavretic, and Wright — 15.

S. B. 322, A BILL TO BE ENTITLED AN ACT TO REWRITE THE CHARTER OF THE TOWN OF STONEVILLE, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Ballance, Barker, Beall, Beam, Berry, Blue, Brannan, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Fussell, Gentry, Gillam, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Huskins, James, Jarrell, Jeralds, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, and C. Woodard — 91.

Voting in the negative: None.

Excused absences: Representatives Beard, Black, Bowen, Brawley, Burnley, Bruce Ethridge, Fenner, Foster, Hunter, Jones, Lancaster, Ligon, Mauney, Mavretic, and Wright — 15.

S. B. 310, A BILL TO BE ENTITLED AN ACT TO REVISE THE CHARTER OF THE TOWN OF JACKSON, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Ballance, Barker, Beall, Beam, Berry, Blue, Brannan, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Fussell, Gentry, Gillam, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Huskins, James, Jarrell, Jeralds, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, and C. Woodard — 91.

Voting in the negative: None.

Excused absences: Representatives Beard, Black, Bowen, Brawley, Burnley, Bruce Ethridge, Fenner, Foster, Hunter, Jones, Lancaster, Ligon, Mauney, Mavretic, and Wright — 15.

S. B. 348, A BILL TO BE ENTITLED AN ACT TO ALLOW STOKES AND SURRY COUNTIES TO NAME AND ASSIGN STREET NUMBERS TO PRIVATE ROADS IN UNINCORPORATED AREAS.

The bill, as amended, passes its third reading, and is ordered sent to the Senate for concurrence in House amendment.

H. B. 670, A BILL TO BE ENTITLED AN ACT REQUIRING THE OPERATOR OF ANY VESSEL OPERATED ON THE WATERS OF THE STATE TO STOP FOR A BLUE LIGHT OR SIREN EXHIBITED BY ANY LAW ENFORCEMENT OFFICER DURING THE PERFORMANCE OF DUTIES.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Committee Substitute for H. B. 840, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A. D. WARD TO CONVEY CERTAIN LANDS TO THE CITY OF NEW BERN, AND TO AUTHORIZE MEMBERS OF THE BOARD OF ALDERMEN TO MAKE LOAN APPLICATIONS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 854, A BILL TO BE ENTITLED AN ACT TO WAIVE COMPLIANCE WITH CERTAIN STATUTES IN THE CONSTRUCTION OF THE NEW HANOVER COUNTY REFUSE FIRED STEAM GENERATING FACILITY.

Representative Musselwhite requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 219, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE WAKE COUNTY DEPUTY SHERIFFS TO PURCHASE THEIR REVOLVERS.

On motion of Representative Stamey, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

S. B. 254, A BILL TO BE ENTITLED AN ACT TO ALLOW THE GOVERNING BODY OF GASTON COUNTY OR ITS MUNICIPALITIES TO CONTRACT WITH BANKS AND OTHER FINANCIAL INSTITUTIONS FOR RECEIPT OF PAYMENT OF PROPERTY TAXES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 256, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE QUALIFIED VOTERS OF THE TOWN OF BEECH MOUNTAIN TO DETERMINE WHETHER BEER AND WINE MAY BE SOLD IN THAT TOWN, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 221, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 49 OF CHAPTER 106, RELATING TO HATCHERIES AND CHICK DEALERS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Ballance, Barbee, Barker, Barnes, Beall, Beam, Berry, Blue, Brannan, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Clark, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Evans, Fletcher, Gentry, Gillam, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Huskins, James, Jarrell, Jeralds, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lee, Lilley, Lutz, McAlister, McDowell, Matthews, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, and C. Woodard — 94.

Voting in the negative: None.

Excused absences: Representatives Auman, Beard, Black, Bowen, Brawley, Burnley, Bruce Ethridge, Fenner, Foster, Hunter, Jones, Lancaster, Ligon, Mauney, Mavretic, and Wright — 16.

Committee Substitute for H. B. 796, A BILL TO BE ENTITLED AN ACT TO PERMIT A LOCAL SCHOOL ADMINISTRATIVE UNIT WITH MORE THAN 70,000 STUDENTS TO EXTEND THE PROBATIONARY PERIOD FOR NONTENURED TEACHERS.

Representative Helms offers Amendment No. 1 which is adopted by electronic vote (92-0).

Representative Berry calls the previous question on the passage of the bill, and the call is sustained by electronic vote (87-12).

The bill, as amended, passes its third reading, by electronic vote (63-35), and is ordered engrossed and sent to the Senate.

H. B. 865, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES TO REGULATE DEVELOPMENT IN ESTUARINE WATERS AND PUBLIC TRUST LANDS UNDER NAVIGABLE WATERS, passes its third reading, by electronic vote (89-0), and is ordered sent to the Senate.

Committee Substitute for H. B. 605, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 20-13 AND G. S. 20-16 RELATING TO SUSPENSION OF DRIVERS' LICENSES OF PROVISIONAL LICENSEES AND LICENSEES HOLDING MOTOR VEHICLE OPERATORS' LICENSES.

On motion of Representative Enloe, consideration of the bill is postponed until May 10, 1983.

S. B. 273, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE EMERGENCY ADMISSIONS OF JUVENILES TO TREATMENT FACILITIES.

On motion of Representative Grimsley, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (91-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

H. J. R. 589, A JOINT RESOLUTION DESIGNATING WILMINGTON AS AN INTERNATIONAL CITY, passes its second reading, by electronic vote (88-1), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate.

H. J. R. 760, A JOINT RESOLUTION DIRECTING THE MENTAL HEALTH STUDY COMMISSION TO EXAMINE FUNDING POLICIES OF AREA MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE PROGRAMS, passes its second reading, by electronic vote (87-1), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate.

H. B. 757, A BILL TO BE ENTITLED AN ACT TO CLARIFY PROVISIONS IN THE READABLE INSURANCE POLICIES ACT.

On motion of Representative Blue, the bill is re-referred to the Committee on Insurance.

H. B. 969, A BILL TO BE ENTITLED AN ACT TO CLARIFY PROCEDURES FOR CONTESTING DEBTS SUBMITTED FOR COLLECTION UNDER THE SETOFF DEBT COLLECTION ACT, passes its second reading, by electronic vote (94-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. B. 37, AN ACT TO ESTABLISH A COMPUTER COMMISSION AND TO GIVE THIS COMMISSION AUTHORITY OVER INFORMATION PROCESSING.

S. B. 103, AN ACT TO EXTEND THE MENTAL HEALTH STUDY COMMISSION.

S. B. 190, AN ACT TO CHANGE THE MITCHELL COUNTY TAX COLLECTOR FROM AN ELECTIVE TO AN APPOINTIVE POSITION.

S. B. 201, AN ACT TO AMEND THE RESTRICTIONS ON FORCE ACCOUNT WORK AS APPLIED TO THE CITY OF MONROE.

S. B. 231, AN ACT TO ALLOW THE RUTHERFORD COUNTY BOARD OF COMMISSIONERS TO ESTABLISH A COUNTY POLICE FORCE.

H. B. 570, AN ACT TO AMEND THE CHARTER OF THE CITY OF RALEIGH, CONCERNING RESERVATION OF SITES AND CONCERNING STREET CONSTRUCTION.

H. B. 630, AN ACT RESTRICTING THE USE OF LOCAL SALES AND USE TAX REVENUE IN BURKE COUNTY.

H. B. 823, AN ACT TO PROHIBIT HUNTING FROM CERTAIN ROADS IN CAMDEN COUNTY.

H. B. 331, AN ACT TO CHANGE THE ELIGIBILITY FOR APPOINTMENT OF COUNSEL FOR INDIGENTS FOR REHEARINGS PURSUANT TO CHAPTER 122 OF THE GENERAL STATUTES.

H. B. 510, AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE JUVENILE CODE AS RECOMMENDED BY THE JUVENILE LAW STUDY COMMISSION.

H. B. 144, AN ACT TO REMOVE MENTAL RETARDATION FROM THE CONDITIONS PROHIBITING A PERSON FROM WORK IN A DAY-CARE CENTER.

H. B. 598, AN ACT TO EXEMPT THE DIVISION OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES FROM THE SOCIAL SERVICES COMMISSION'S TITLE XX RULE MAKING AUTHORITY.

H. B. 674, AN ACT TO CONTROL THE EXPLORATION FOR URANIUM IN THE STATE OF NORTH CAROLINA.

H. B. 676, AN ACT TO AMEND THE DEFINITION OF CATCHMENT AREA.

H. B. 689, AN ACT TO INSURE PRIVACY OF AREA MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE AUTHORITY EMPLOYEE PERSONNEL RECORDS.

S. B. 253, AN ACT TO AMEND CHAPTER 104D OF THE GENERAL STATUTES TO ENTER INTO THE SOUTHERN STATES ENERGY COMPACT AND TO ESTABLISH THE SOUTHERN STATES ENERGY BOARD.

On motion of Representative Hunt, seconded by Representative Clark, the House adjourns to reconvene Monday, May 9, 1983 at 8:00 p.m.

EIGHTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Monday, May 9, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Brown.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of May 6 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Brubaker, Fletcher, Ligon, and Slaughter for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Wright for the Committee on Judiciary No. 2:

H. B. 693, A BILL TO BE ENTITLED AN ACT TO ALLOW FIREMEN AND OTHER INVESTIGATORS TO INSPECT FIRE-DAMAGED PROPERTY WITH AN INSPECTION WARRANT WHEN IT IS NECESSARY TO DO SO, with a favorable report.

H. B. 700, A BILL TO BE ENTITLED AN ACT TO ALLOW THE STATE TO TAKE A VOLUNTARY DISMISSAL WITH LEAVE WHEN A DEFENDANT IS FOUND INCAPABLE OF PROCEEDING, with a favorable report, as amended.

H. B. 692, A BILL TO BE ENTITLED AN ACT TO ALLOW VOLUNTARY STATEMENTS MADE BY A SUBJECT DURING NONTESTIMONIAL IDENTIFICATION PROCEDURES TO BE ADMISSIBLE IN A CRIMINAL PROCEEDING, with an indefinite postponement report.

H. B. 701, A BILL TO BE ENTITLED AN ACT TO MAKE ADMISSIBLE DECLARATIONS MADE UNDER THE BELIEF OF IMPENDING DEATH EVEN THOUGH THE DECLARANT DOES NOT DIE BUT BECOMES PHYSICALLY OR MENTALLY UNAVAILABLE, with a favorable report.

By Representative Lancaster for the Committee on Judiciary No. 3:

H. B. 124, A BILL TO BE ENTITLED AN ACT TO EXPAND THE USE OF OUTPATIENT INVOLUNTARY COMMITMENTS FOR THE MENTALLY ILL, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for May 11, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 744, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 14-320.1 TO RECOGNIZE CHILD CUSTODY ORDERS ISSUED IN OTHER STATES, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for May 11, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 817, A BILL TO BE ENTITLED AN ACT REGARDING ESCAPES FROM LOCAL CONFINEMENT FACILITIES, with a favorable report.

H. B. 932, A BILL TO BE ENTITLED AN ACT TO PROVIDE COURT-ORDERED PARENT PARTICIPATION IN TREATMENT IN CERTAIN JUVENILE CASES, with a favorable report, as amended.

S. B. 67, A BILL TO BE ENTITLED AN ACT TO MAKE THE CHARITABLE SOLICITATION LICENSURE ACT INAPPLICABLE TO CERTAIN FOUNDATIONS AND TRUSTS, with an unfavorable report as to bill, favorable as to House committee substitute bill.

The House committee substitute bill is placed on the Calendar for May 11, 1983. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Hightower:

H. B. 1014, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 18B OF GENERAL STATUTES CHAPTER 58 IN ORDER TO CONTINUE NORTH CAROLINA'S ELIGIBILITY FOR RIOT REINSURANCE UNDER THE FEDERAL FAIR PLAN, is referred to the Committee on Insurance.

By Representatives Seymour, Colton, and Easterling:

H. B. 1015, A BILL TO BE ENTITLED AN ACT TO CLARIFY A PROVISION IN THE GROUP HEALTH INSURANCE CONTINUATION AND CONVERSION PRIVILEGES LAW, is referred to the Committee on Insurance.

By Representatives Clark, Musselwhite, Wicker, and Wright:

H. B. 1016, A BILL TO BE ENTITLED AN ACT TO AMEND THE SUBPOENA LAW RELATING TO MEDICAL RECORDS, is referred to the Committee on Courts and Administration of Justice.

By Representatives Enloe, Beall, Colton, N. J. Crawford, Greenwood, Nesbitt, and Stamey:

H. B. 1017, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR WESTERN NORTH CAROLINA MARKET DEVELOPMENT, is referred to the Committee on Appropriations.

By Representatives Miller, Adams, Anderson, Auman, Barnes, Beard, Blue, Brennan, Bumgardner, Church, Clark, Coble, Colton, Cook, Creecy, Diamont, Enloe, Bruce Ethridge, Fulcher, Fussell, Gillam, Hackney, Hayden, Hightower, Hunt, Jarrell, Keesee, Lutz, McDowell, Mavretic, Musselwhite, Nash, Owens, Payne, Pulley, Rabon, Seymour, Spaulding, Stamey, Tennille, Wicker, and Wright:

H. B. 1018, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE ACQUISITION OF PARKLANDS, is referred to the Committee on Appropriations.

By Representatives Economos and Hauser:

H. J. R. 1019, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY PRIVILEGE LICENSE TAXES, is referred to the Committee on Rules and Operation of the House.

By Representatives Diamont, Gentry, and Hayden:

H. B. 1020, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS TO THE BLOWING ROCK ARTS CENTER IN WATAUGA COUNTY, is referred to the Committee on Cultural Resources.

By Representatives Tyndall, Adams, Barnes, Childress, J. W. Crawford, Diamont, Bob Etheridge, Fletcher, Fussell, Gentry, Gillam, Greenwood, Hayden, Hudson, James, Lee, Lutz, McAlister, Matthews, Murphy, Nesbitt, Slaughter, Warren, Watkins, and B. Woodard:

H. B. 1021, A BILL TO BE ENTITLED AN ACT REGARDING VENUE FOR PAROLE CONSIDERATION HEARINGS, is referred to the Committee on Judiciary No. 3.

By Representative Seymour:

H. J. R. 1022, A JOINT RESOLUTION PROVIDING FOR JOINT SESSIONS OF THE HOUSE COMMITTEE ON PUBLIC UTILITIES AND THE SENATE COMMITTEE ON PUBLIC UTILITIES AND ENERGY TO REVIEW THE GOVERNOR'S APPOINTEES TO THE UTILITIES COMMISSION AND THE EXECUTIVE DIRECTOR OF THE PUBLIC STAFF, AND PROVIDING FOR A JOINT SESSION OR SESSIONS OF THE HOUSE OF REPRESENTATIVES AND THE SENATE TO ACT ON CONFIRMATION OF APPOINTMENTS MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION AND FOR EXECUTIVE DIRECTOR OF THE PUBLIC STAFF.

On motion of Representative Seymour, the rules are suspended and the resolution is placed before the House for immediate consideration.

The resolution passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate.

By Representatives Helms, Hauser, Slaughter, Tennille, Watkins, and Wicker:

H. J. R. 1023, A JOINT RESOLUTION WELCOMING THE NATIONAL JUDICIAL COLLEGE TO NORTH CAROLINA AND EXPRESSING SUPPORT FOR THE ESTABLISHMENT OF A PERMANENT EASTERN LOCATION AT WAKE FOREST UNIVERSITY HONORING THE LATE DEAN WEATHERS, is referred to the Committee on Rules and Operation of the House.

MESSAGES FROM THE SENATE

The following are reeceived from the Senate:

Committee Substitute for H. B. 143, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF DAY-CARE PLAN, is returned for concurrence in Senate amendment and is placed on the Calendar for May 10, 1983.

S. B. 283, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE SALE OR FORECLOSURE OF A TAX LIEN ON REAL PROPERTY CLASSIFIED UNDER THE "HOMESTEAD EXEMPTION", is read the first time and is referred to the Committee on Finance.

S. B. 293, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING THE LAW ENFORCEMENT OFFICERS' BENEFIT AND RETIREMENT FUND SO AS TO RECEIVE A FAVORABLE DETERMINATION AS A QUALIFIED TRUST BY THE INTERNAL REVENUE SERVICE AND TO THEN CAUSE A TAX SHELTERING FROM CURRENT INCOME OF MEMBERS' CONTRIBUTIONS, is read the first time and is referred to the Committee on Pensions and Retirement.

S. B. 304, A BILL TO BE ENTITLED AN ACT TO ALLOW CITIES AND COUNTIES TO PARTICIPATE IN THE STATE TELEPHONE NETWORK, is read the first time and is referred to the Committee on Public Utilities.

S. B. 420, A BILL TO BE ENTITLED AN ACT TO REQUIRE NUMBERING OF ALL VESSELS, is read the first time and is referred to the Committee on Finance.

CALENDAR

Action is taken on the following:

H. B. 653, A BILL TO BE ENTITLED AN ACT TO CLARIFY A PUTATIVE FATHER'S RIGHT TO NOTICE OF AN ADOPTION.

On motion of Representative Wright, the House concurs in the Senate amendment and the bill is ordered enrolled.

H.B. 680, A BILL TO BE ENTITLED AN ACT TO REQUIRE COUNTY DIRECTORS OF SOCIAL SERVICES TO RESPOND TO REQUESTS FOR CONSENT TO SEPARATE AN INFANT FROM ITS PARENT.

On motion of Representative Wright, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 713, A BILLTO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO VARIOUS STATUTES AFFECTING CRIMINAL LAW.

On motion of Representative Rabon, the House concurs in the Senate amendment and the bill is ordered enrolled.

S. B. 362, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR PARTISAN ELECTIONS FOR THE TOWN OF WOODFIN, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 221, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 49 OF CHAPTER 106, RELATING TO HATCHERIES AND CHICK DEALERS.

The bill passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Bumgardner, Chapin, Childress, Church, Clark, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holt, Hudson, C. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Robinson, Seymour, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 105.

Voting in the negative: None.

Excused absences: Representatives Brubaker, Fletcher, Ligon, and Slaughter — 4.

Committee Substitute for H. B. 448, A BILL TO BE ENTITLED AN ACT TO AMEND SERVICE OF PROCESS IN SUMMARY EJECTMENT CASES.

Representative Lancaster offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. J. R. 340, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JONAS MELVIN (JACK) GARDNER, A FORMER MEMBER OF THE GENERAL ASSEMBLY FROM JOHNSTON COUNTY, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. B. 350, AN ACT TO PROVIDE THAT DAY-CARE FACILITIES OPERATED BY CHURCHES, SYNAGOGUES, OR SCHOOLS OF RELIGIOUS CHARTER SHALL NOT BE REQUIRED TO OBTAIN LICENSES BUT SHALL BE SUBJECT TO DAY-CARE STANDARDS FOR HEALTH AND SAFETY.

S. B. 254, AN ACT TO ALLOW THE GOVERNING BODY OF GASTON COUNTY OR ITS MUNICIPALITIES TO CONTRACT WITH BANKS AND OTHER FINANCIAL INSTITUTIONS FOR RECEIPT OF PAYMENT OF PROPERTY TAXES.

S. B. 256, AN ACT AUTHORIZING THE QUALIFIED VOTERS OF THE TOWN OF BEECH MOUNTAIN TO DETERMINE WHETHER BEER AND WINE MAY BE SOLD IN THAT TOWN,

S. B. 310, AN ACT TO REVISE THE CHARTER OF THE TOWN OF JACKSON.

S. B. 322, AN ACT TO REWRITE THE CHARTER OF THE TOWN OF STONEVILLE.

H. B. 209, AN ACT TO EXEMPT TOW DOLLIES FROM CERTIFICATE OF TITLE AND REGISTRATION REQUIREMENTS FOR MOTOR VEHICLES.

H. B. 472, AN ACT TO AUTHORIZE THE DISPOSITION OF CONTRABAND CONFISCATED FROM PRISONERS.

On motion of Representative Hunt, seconded by Representative Black, the House adjourns to reconvene May 10, 1983 at 1:30 p.m.

EIGHTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, May 10, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Locks.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of May 9 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Fletcher, Gist, and Ligon for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Foster for the Committee on Education:

H. B. 997, A BILL TO BE ENTITLED AN ACT TO PROVIDE A METHOD FOR FILLING VACANCIES ON THE WASHINGTON COUNTY BOARD OF EDUCATION, with a favorable report.

By Representative Quinn for the Committee on Finance:

Committee Substitute for H. B. 455, A BILL TO BE ENTITLED AN ACT TO ESTABLISH UNIFORM REGULAR AND SPECIAL CONDITIONS OF PROBATION, with a favorable report.

H.B. 471, A BILL TO BE ENTITLED AN ACT TO REQUIRE A SUPERVISION FEE OF ALL PERSONS PLACED ON PAROLE, with a favorable report.

H. B. 999, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE SALES AND USE TAX TREATMENT OF CERTAIN COMPUTER PROGRAMS USED BY TELEPHONE COMPANIES, with a favorable report.

By Representative Pulley for the Committee on Judiciary No. 4:

H. B. 956, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 115D-20 RELATING TO POWERS AND DUTIES OF TRUSTEES OF COMMUNITY COLLEGES, with a favorable report, as amended.

Committee Substitute for S. B. 162, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR COMMUNITY SERVICE AS A CONDITION OF PROBATION FOR LITTERING, with an unfavorable report.

By Representative James for the Committee on Agriculture:

H. B. 982, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR SWEET POTATO RESEARCH, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H. B. 1008, A BILL TO BE ENTITLED AN ACT TO PERMIT AGRICULTURAL COMMODITY ASSOCIATIONS TO RECOVER AUDIT COSTS, with a favorable report.

By Representative Thomas for the Committee on Higher Education:

H. B. 818, A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL TAX-LEVYING AUTHORITY APPROVAL FOR ALL IMPROVEMENTS TO COMMUNITY COLLEGES AND TECHNICAL INSTITUTES FUNDED FROM PRIVATE SOURCES BEFORE THE LOCAL TAX-LEVYING AUTHORITY WILL BE RESPONSIBLE FOR LOCAL FINANCIAL SUPPORT, with a favorable report.

H. B. 988, A BILL TO BE ENTITLED AN ACT TO REWRITE THE STATUTE UNDER WHICH NONPUBLIC POST-SECONDARY EDUCATIONAL INSTITUTIONS MAY BE LICENSED TO CONDUCT POST-SECONDARY DEGREE ACTIVITY IN NORTH CAROLINA, with a favorable report, as amended.

On motion of Representative Hunt, H. B. 63, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO CONTINUE ITS STUDY OF INSURANCE REGULATION, CREDIT INSURANCE, AND STATE GOVERNMENT RISK MANAGEMENT, is withdrawn from the Committee on Rules and Operation of the House and is re-referred to the Committee on Judiciary No. 1.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Seymour, Burnley, Jarrell, and Keesee:

H. B. 1024, A BILL TO BE ENTITLED AN ACT APPROPRIATING FUNDS TO THE FRANK HOLDER DANCE COMPANY, is referred to the Committee on Cultural Resources.

By Representatives N. J. Crawford, Colton, Greenwood, and Nesbitt:

H. B. 1025, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE RESTORATION OF THE TRANSYLVANIA COUNTY COURTHOUSE, is referred to the Committee on Cultural Resources.

CALENDAR

Action is taken on the following:

Committee Substitute for H. B. 143, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF DAY-CARE PLAN.

On motion of Representative Fenner, the House concurs in the Senate amendment, by electronic vote (82-21), and the bill is ordered enrolled.

H. B. 890, A BILL TO BE ENTITLED AN ACT TO ALLOW ALL SANITARY DISTRICTS TO EXERCISE ALL POWERS PERMITTED BY THE SANITARY DISTRICT LAW.

On motion of Representative Bruce Ethridge, consideration of the bill is postponed until May 12, 1983.

Committee Substitute for H. B. 800, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 65 RELATING TO FUNERAL AND BURIAL TRUST FUNDS.

On motion of Representative Pulley, consideration of the bill is postponed until May 17, 1983.

H. B. 524, A BILL TO BE ENTITLED AN ACT TO REPEAL ALL ADMINISTRATIVE RULES ADOPTED UNDER THE A. P. A. AND REQUIRE THEIR ADOPTION BY THE GENERAL ASSEMBLY.

Representative Watkins offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (110-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 868, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR SPEEDY TRIALS BY DELETING THE REQUIREMENT THAT A DEFENDANT MAY NOT BE TRIED WITHOUT HIS CONSENT DURING THE SAME WEEK HE IS ARRAIGNED, fails to pass its second reading by electronic vote (35-76).

Committee Substitute for H. B. 605, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 20-13 AND G. S. 20-16 RELATING TO SUSPENSION OF DRIVERS' LICENSES OF PROVISIONAL LICENSEES AND LICENSEES HOLDING MOTOR VEHICLE OPERATORS' LICENSES, passes its second reading, by electronic vote (112-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 979, A BILL TO BE ENTITLED AN ACT TO PROVIDE AUTHORIZATION FOR GENERAL PERMITS UNDER THE DREDGE AND FILL LAW AND CLARIFICATION OF GENERAL PERMITS UNDER THE COASTAL AREA MANAGEMENT ACT, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 693, A BILL TO BE ENTITLED AN ACT TO ALLOW FIREMEN AND OTHER INVESTIGATORS TO INSPECT FIRE-DAMAGED PROPERTY WITH AN INSPECTION WARRANT WHEN IT IS NECESSARY TO DO SO, passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 700, A BILL TO BE ENTITLED AN ACT TO ALLOW THE STATE TO TAKE A VOLUNTARY DISMISSAL WITH LEAVE WHEN A DEFENDANT IS FOUND INCAPABLE OF PROCEEDING.

On motion of Representative Wright, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (101-8), and there being no objection is read a third time.

Representative Wright offers Amendment No. 2 which is adopted by electronic vote (109-0).

The rules are suspended and the third reading is by voice vote.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 701, A BILL TO BE ENTITLED AN ACT TO MAKE ADMISSIBLE DECLARATIONS MADE UNDER THE BELIEF OF IMPENDING DEATH EVEN THOUGH THE DECLARANT DOES NOT DIE BUT BECOMES PHYSICALLY OR MENTALLY UNAVAILABLE.

On motion of Representative Wright, consideration of the bill is postponed until May 17, 1983.

H. B. 817, A BILL TO BE ENTITLED AN ACT REGARDING ESCAPES FROM LOCAL CONFINEMENT FACILITIES, passes its second reading, by electronic vote (104-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 932, A BILL TO BE ENTITLED AN ACT TO PROVIDE COURT-ORDERED PARENT PARTICIPATION IN TREATMENT IN CERTAIN JUVENILE CASES.

On motion of Representative Blue, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (110-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Committee Substitute for S. B. 269, A BILL TO BE ENTITLED AN ACT TO REFORM CERTAIN ADMINISTRATIVE PROCEDURES OF THE ENVIRONMENTAL MANAGEMENT COMMISSION, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 194, A BILL TO BE ENTITLED AN ACT TO REWRITE CERTAIN OF THE FOREST LAWS OF NORTH CAROLINA.

On motion of Representative Bruce Ethridge, consideration of the bill is postponed until May 11, 1983.

On motion of Representative Hunt, seconded by Representative Anderson, the House adjourns to reconvene May 11, 1983 at 1:30 p.m.

EIGHTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, May 11, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend C. W. Pate, Goldsboro, North Carolina.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of May 10 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Black, Bumgardner, Ligon, and Pool for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Lutz for the Committee on Local Government No. 2:

H. B. 579, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MINIMUM AMOUNT FOR CONSTRUCTION CONTRACTS WHICH REQUIRE PERFORMANCE AND PAYMENT BONDS, with a favorable report, as amended.

H. B. 580, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE TO PROVIDE FOR AN ALTERNATIVE EMINENT DOMAIN PROCEDURE, with a favorable report.

H. B. 618, A BILL TO BE ENTITLED AN ACT TO REVISE THE CHARTER OF THE CITY OF LUMBERTON, with a favorable report.

H. B. 822, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM FINE FOR LITTERING IN THE CITY OF CHARLOTTE, with a favorable report.

H. B. 851, A BILL TO BE ENTITLED AN ACT CLARIFYING PROCEDURES OF LOCAL INSPECTION DEPARTMENTS AND AUTHORIZING COMPENSATION OF LOCAL PLANNING AGENCIES, with a favorable report.

S. B. 168, A BILL TO BE ENTITLED AN ACT TO RESTRICT THE USE OF INTANGIBLE TAX REVENUE BY HENDERSON COUNTY, with an unfavorable report as to bill, favorable as to House committee substitute bill, which changes the title.

The House committee substitute bill is placed on the Calendar for May 13, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Fussell for the Committee on Highway Safety:

H. B. 763, A BILL TO BE ENTITLED AN ACT TO ASSURE EFFECTIVE PROSECUTION OF THE OFFENSE OF DRIVING WHILE LICENSE REVOKED WHEN A DEFENDANT HAS FAILED TO NOTIFY THE DIVISION OF MOTOR VEHICLES OF A CHANGE OF ADDRESS AS REQUIRED BY LAW, with a favorable report, as amended.

H. B. 930, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PLACEMENT OF WARNING SIGNS NEAR LOCATIONS WHERE DRIVER'S LICENSE CHECKPOINTS ARE ESTABLISHED, with a favorable report, as amended.

By Representative McDowell for the Committee on Corrections:

H. B. 832, A BILL TO BE ENTITLED AN ACT TO ACCELERATE PAROLE OF CERTAIN INMATES WHEN THE PRISON POPULATION NEARS SEVENTEEN THOUSAND, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for May 13, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 838, A BILL TO BE ENTITLED AN ACT TO ADD NONVIOLENT OFFENDERS IN THE TWENTY-ONE TO TWENTY-FOUR AGE GROUP TO THE COMMITTED YOUTHFUL OFFENDER LAW, with a favorable report.

By Representative Church for the Committee on State Government:

H. B. 519, A BILL TO BE ENTITLED AN ACT TO REVISE THE QUALIFICATIONS FOR REAL ESTATE LICENSES, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for May 13, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 916, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE GOVERNOR'S MANAGEMENT COUNCIL, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for May 13, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Varner for the Committee on Military and Veterans' Affairs:

S. B. 299, A BILL TO BE ENTITLED AN ACT TO REMOVE RETIREMENT AGE RESTRICTIONS IN THE UNORGANIZED MILITIA AND THE NORTH CAROLINA STATE DEFENSE MILITIA, with a favorable report.

S. B. 300, A BILL TO BE ENTITLED AN ACT TO REVISE THE PROCEDURES FOR NONJUDICIAL PUNISHMENT AND SUMMARY COURTS-MARTIAL IN THE NORTH CAROLINA NATIONAL GUARD, with a favorable report.

S. B. 301, A BILL TO BE ENTITLED AN ACT TO ADOPT THE USE OF THE CURRENT MANUAL FOR COURTS-MARTIAL, with a favorable report.

By Representative Barker for the Committee on Mental Health:

H. B. 137, A BILL TO BE ENTITLED AN ACT TO ALLOW PUBLIC AND NONPROFIT HUMAN SERVICES PROGRAMS TO PURCHASE PERMANENT LICENSE TAGS FOR AGENCY VEHICLES, with an unfavorable report as to bill,

favorable as to committee substitute bill, which changes the title, and recommendation that the substitute bill be re-referred to the Committee on Finance.

The substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H. B. 583, A BILL TO BE ENTITLED AN ACT TO PROVIDE TIME TO STUDY THE NEED FOR NEW INTERMEDIATE CARE FACILITY BEDS FOR THE MENTALLY RETARDED, with an unfavorable report as to bill, favorable as to committee substitute bill.

On motion of Representative Barker, the substitute bill is placed on the Calendar for May 16, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 995, A BILL TO BE ENTITLED AN ACT TO GRANT CERTAIN DOMICILIARY CARE FACILITIES AN EXEMPTION FROM REPORTING AND UNIFORM CHART OF ACCOUNTS REQUIREMENTS, with a favorable report, as amended.

By Representative Lancaster for the Committee on Judiciary No. 3:

H. B. 759, A BILL TO BE ENTITLED AN ACT TO SPECIFY A SUMMONS FOR TERMINATION OF PARENTAL RIGHTS CASES, TO PROVIDE FOR AN ANSWER IN SUCH CASES, AND TO SPECIFY WHO IS TO RECEIVE COPIES OF TERMINATION OF PARENTAL RIGHTS ORDERS, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for May 13, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 933, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALTERATION OF A MARRIAGE LICENSE WHEN A PARTY TO THE MARRIAGE LAWFULLY CHANGES HIS OR HER NAME, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for May 13, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Hightower for the Committee on Insurance:

H. B. 757, A BILL TO BE ENTITLED AN ACT TO CLARIFY PROVISIONS IN THE READABLE INSURANCE POLICIES ACT, with a favorable report.

By Representative Enloe for the Committe on Employment Security:

H. B. 716, A BILL TO BE ENTITLED AN ACT TO ASSURE UNEMPLOYMENT INSURANCE TRUST FUND SOLVENCY AND COMPLIANCE WITH FEDERAL LAW, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendare for May 13, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 737, A BILL TO BE ENTITLED AN ACT TO AMEND THE EMPLOYMENT SECURITY LAW TO ASSURE FEDERAL COMPLIANCE AND OTHER TECHNICAL AMENDMENTS, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for May 13, 1983. The original bill is placed on the Unfavorable Calendar.

SUSPENSION OF RULES TO INTRODUCE LOCAL BILLS

On motion of Representative Beall, Rule 31.1 is suspended by a two-thirds majority vote in order for a local bill to be filed.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Gentry and Wicker:

H. B. 1026, A BILL TO BE ENTITLED AN ACT RELATING TO THE FORMATION OF NEW POLITICAL PARTIES TO CONFORM WITH FEDERAL COURT RULINGS, is referred to the Committee on Election Laws.

By Representatives N. J. Crawford, Colton, Greenwood, and Nesbitt:

H. B. 1027, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE SMITH-MCDOWELL MUSEUM IN BUNCOMBE COUNTY, is referred to the Committee on Cultural Resources.

By Representative Economos:

H. B. 1028, A BILL TO BE ENTITLED AN ACT TO ALLOW PRIVATE PEER REVIEW IN DOMICILIARY HOMES, is referred to the Committee on Judiciary No. 2.

By Representatives Beam and Brennan (co-sponsors); Easterling, Jones, and C. Woodard:

H. B. 1029, A BILL TO BE ENTITLED AN ACT TO ENSURE PROPER MEDICAL TREATMENT OF HANDICAPPED INFANTS, is referred to the Committee on Human Resources.

By Representatives Jarrell, Burnley, Coble, Gist, Grimsley, Keesee, and Seymour:

H. B. 1030, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE REHABILITATION OF THE RICHARD MENDENHALL PLANTATION IN GUILFORD COUNTY, is referred to the Committee on Cultural Resources.

By Representatives Hayden, Anderson, Fenner, Gentry, and Thomas:

H. B. 1031, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO MATCH FEDERAL VOCATIONAL EDUCATIONAL FUNDS FOR THE HANDICAPPED, is referred to the Committee on Appropriations.

By Representatives Hayden, Brennan, Easterling, Gentry, Hauser, Quinn, and Thomas:

H. J. R. 1032, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE FEASIBILITY OF ESTABLISHING A CAFETERIA-STYLE BENEFITS PROGRAM FOR ALL TEACHERS AND STATE EMPLOYEES, is referred to the Committee on Rules and Operation of the House.

By Representatives James, Anderson, Black, Brown, Creecy, Enloe, Gentry, Gillam, Greenwood, Grimsley, Lacey, Lilley, Lutz, McAlister, Mavretic, Murphy, and B. Woodard:

H. B. 1033, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR FORAGE TESTING, is referred to the Committee on Appropriations.

By Representative Lancaster:

H. B. 1034, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROCEDURES USED UNDER THE FAIR SENTENCING ACT WHEN SEVERAL CRIMES ARE CONSOLIDATED FOR JUDGMENT, is referred to the Committee on Judiciary No. 3.

By Representatives Mavretic, Hackney, Hauser, Hunter, Nesbitt, Payne, and Wicker:

H. B. 1035, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A SYSTEM OF GOOD DRIVER LICENSE POINTS, is referred to the Committee on Highway Safety.

By Representatives Hackney and Barnes:

H. B. 1036, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE UNAUTHORIZED USE OF PUBLIC PURCHASE OR CONTRACT PROCEDURES FOR PRIVATE BENEFIT, is referred to the Committee on Law Enforcement.

By Representative Lilley:

H. B. 1037, A BILL TO BE ENTITLED AN ACT MAKING THE COMMISSIONER OF INSURANCE AN EX OFFICIO MEMBER OF THE PUBLIC OFFICERS AND EMPLOYEES LIABILITY INSURANCE COMMISSION, is referred to the Committee on State Government.

By Representatives Jordan, Beall, Black, Bowen, Brennan, Burnley, Easterling, Economos, Bruce Ethridge, Foster, Fussell, Grimsley, Hauser, Hayden, C. Hughes, Jones, Keesee, Lutz, McDowell, Mauney, Murphy, Redding, Stamey, Thomas, Tyndall, Warren, and C. Woodard:

H. B. 1038, A BILL TO BE ENTITLED AN ACT TO PERMIT INDIVIDUALS AGED 70 OR OVER WHOSE RESIDENCE QUALIFIES FOR THE "HOMESTEAD EXEMPTION" TO DEFER PAYMENT OF AD VALOREM TAX ON THIS PROPERTY UNTIL THE PROPERTY IS TRANSFERRED, is referred to the Committee on Finance.

By Representatives Adams, Beam, Hauser, Jeralds, Jones, Spaulding, Watkins, and C. Woodard:

H. B. 1039, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE VOLUNTARY PAYROLL DEDUCTIONS FOR PROFESSIONAL ASSOCIATION MEMBERSHIP DUES, is referred to the Committee on Education.

CALENDAR

Action is taken on the following:

H. B. 997, A BILL TO BE ENTITLED AN ACT TO PROVIDE A METHOD FOR FILLING VACANCIES ON THE WASHINGTON COUNTY BOARD OF EDUCATION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 455, A BILL TO BE ENTITLED AN ACT TO ESTABLISH UNIFORM REGULAR AND SPECIAL CONDITIONS OF PROBATION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barker, Barnes, Beall, Beam, Beard, Berry, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Burnley, Chapin, Childress, Church, Clark, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Robinson, Seymour, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 104.

Voting in the negative: None.

Excused absences: Representatives Black, Bumgardner, Ligon, and Pool — 4.

H. B. 471, A BILL TO BE ENTITLED AN ACT TO REQUIRE A SUPERVISION FEE OF ALL PERSONS PLACED ON PAROLE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Ballance, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Robinson, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 109.

Voting in the negative: None.

Excused absences: Representatives Black, Bumgardner, Ligon, and Pool — 4.

Committee Substitute for H. B. 368, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 97 OF THE GENERAL STATUTES TO DEFINE INJURY BY ACCIDENT FOR WORKERS' COMPENSATION.

On motion of Representative Clark, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (86-27), and there being no objection is read a third time.

Representative Pulley sends forth a transcript recorded in the Committee on Manufacturers and Labor and requests that it be included in the Journal.

Representative Hunt, seconded by Representative Watkins, moves that the request do lie upon the table. This motion fails, by electronic vote (54-54), for lack of a majority.

Representative Pulley withdraws his request.

A division having been called, the bill passes its third reading, by electronic vote (86-28), and is ordered engrossed and sent to the Senate.

S. B. 240, A BILL TO BE ENTITLED AN ACT TO AMEND THE RIGHT TO A NATURAL DEATH ACT.

On motion of Representative B. Woodard, consideration of the bill is postponed until May 13, 1983.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

S. J. R. 480, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CLAUDE H. FARRELL, JR., is read the first time.

On motion of Representative Economos, the rules are suspended, and the resolution is placed before the House for immediate consideration.

The resolution passes its second reading, by electronic vote (97-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. B. 221, AN ACT TO AMEND ARTICLE 49 OF CHAPTER 106, RELATING TO HATCHERIES AND CHICK DEALERS.

S. B. 362, AN ACT TO PROVIDE FOR PARTISAN ELECTIONS FOR THE TOWN OF WOODFIN.

H. B. 653, AN ACT TO CLARIFY A PUTATIVE FATHER'S RIGHT TO NOTICE OF AN ADOPTION.

H. B. 680, AN ACT TO REQUIRE COUNTY DIRECTORS OF SOCIAL SERVICES TO RESPOND TO REQUESTS FOR CONSENT TO SEPARATE AN INFANT FROM ITS PARENT.

H. B. 713, AN ACT TO MAKE TECHNICAL CORRECTIONS TO VARIOUS STATUTES AFFECTING CRIMINAL LAW.

H. B. 1012, AN ACT TO AMEND THE RESTRICTIONS ON FORCE ACCOUNTS AS APPLIED TO DAVIDSON COUNTY.

S. B. 269, AN ACT TO REFORM CERTAIN ADMINISTRATIVE PROCEDURES OF THE ENVIRONMENTAL MANAGEMENT COMMISSION.

H. B. 143, AN ACT TO CLARIFY THE DEFINITION OF DAY-CARE PLAN.

H. B. 458, AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO REQUIRE THAT DISTRICT ATTORNEYS AND THE ATTORNEY GENERAL BE LICENSED TO PRACTICE LAW.

On motion of Representative Hunt, seconded by Representative Bob Etheridge, the House adjourns to reconvene May 12, 1983 at 1:30 p.m.

EIGHTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Thursday, May 12, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Helms.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of May 11 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Adams, Edwards, Ligon, Locks, Payne, Robinson, and Stamey for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Quinn for the Committee on Finance:

S. B. 252, A BILL TO BE ENTITLED AN ACT TO AMEND THE COUNTY SPECIAL ASSESSMENTS LAW (G. S. 153A, ARTICLE 9) WITH RESPECT TO SMALL WATERSHEDS, DRAINAGE PROGRAMS, AND MAINTENANCE CHARGES, TO AUTHORIZE COUNTY SPENDING AND TAXES FOR DRAINAGE PROJECTS, AND TO MAKE RELATED CHANGES, with a favorable report.

By Representative Helms for the Committee on Courts and Administration of Justice:

H. B. 384, A BILL TO BE ENTITLED AN ACT TO MAKE PERMANENT THE 120-DAY SPEEDY TRIAL LAW REQUIREMENT AND TO MAKE OTHER CHANGES, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for May 17, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 494, A BILL TO BE ENTITLED AN ACT TO RAISE COSTS AND FEES IN THE GENERAL COURTS OF JUSTICE, with an unfavorable report as to bill, favorable as to committee substitute bill and recommendation that the substitute bill be re-referred to the Committee on Finance.

The substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H. B. 984, A BILL TO BE ENTITLED AN ACT TO REQUIRE REGULAR SUPERIOR COURT JUDGES TO BE BOTH NOMINATED AND ELECTED IN THEIR RESIDENT JUDICIAL DISTRICTS, with an unfavorable report.

By Representative Lambeth for the Committee on Wildlife Resources:

Senate Committee Substitute No. 2 for H. B. 504, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM HIGHWAY 306 IN CRAVEN COUNTY, with recommendation that the House concur.

On motion of Representative Lambeth, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Lambeth, the House concurs in Senate Committee Substitute No. 2, which changes the title, and the bill is ordered enrolled.

H. B. 607, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM ROADS AND TO PROHIBIT DEER HUNTING ON THE LANDS OF ANOTHER WITHOUT THE CONSENT OF THE LANDOWNER IN WILSON COUNTY, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for May 16, 1983. The original bill is placed on the Unfavorable Calendar.

S. B. 122, A BILL TO BE ENTITLED AN ACT RELATING TO HUNTING FOXES IN ONSLOW COUNTY, with an indefinite postponement report.

By Representative Seymour for the Committee on Public Utilities:

H. B. 942, A BILL TO BE ENTITLED AN ACT RELATING TO MUNICIPALITIES AND PROCEDURES FOR THE OPERATION AND FINANCING OF JOINT MUNICIPAL POWER AGENCIES, with a favorable report.

On motion of Representative Seymour, the bill is re-referred to the Committee on Finance.

By Representative Wicker for the Committee on Law Enforcement:

H. B. 315, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN LAWS PROHIBITING SALES OF ALCOHOLIC BEVERAGES TO MINORS, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for May 16, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 921, A BILL TO BE ENTITLED AN ACT MAKING BIGAMY A MISDEMEANOR, with a favorable report.

H. B. 922, A BILL TO BE ENTITLED AN ACT TO MAKE WITNESS INTIMIDATION A FELONY, with a favorable report, as amended.

By Representative Colton for the Committee on Cultural Resources:

H. B. 328, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE FIRST FLIGHT SOCIETY, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H. B. 747, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PRESERVE AND RESTORE THE GOVERNOR DAVID S. REID HOUSE IN REIDSVILLE, ROCKINGHAM COUNTY, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Appropriations.

On motion of Representative McAlister, Committee Amendment No. 1 is adopted.

The bill is ordered engrossed and re-referred to the Committee on Appropriations.

H.B. 761, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF A VISITOR CENTER AT HISTORIC BETHABARA, INC., with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Appropriations.

On motion of Representative Colton, Committee Amendment No. 1 is adopted.

The bill is ordered engrossed and re-referred to the Committee on Appropriations.

By Representative Gentry for the Committee on Election Laws:

S. B. 447, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GENERAL LAW AS TO VOTER ASSISTANCE APPLIES IN CHEROKEE COUNTY, with a favorable report.

By Representative Hightower for the Committee on Insurance:

H. B. 1014, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 18B OF GENERAL STATUTES CHAPTER 58 IN ORDER TO CONTINUE NORTH CAROLINA'S ELIGIBILITY FOR RIOT REINSURANCE UNDER THE FEDERAL FAIR PLAN, with a favorable report.

S. B. 50, A BILL TO BE ENTITLED AN ACT TO AMEND THE POWERS OF THE COMMISSIONER OF INSURANCE TO REGULATE HEALTH MAINTENANCE ORGANIZATIONS, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for May 16, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Wright for the Committee on Judiciary No. 2:

H. B. 298, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE COMMON LAW REQUIREMENT THAT A DEED BE SEALED AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for May 16, 1983. The original bill is placed on the Unfavorable Calendar.

S. B. 410, A BILL TO BE ENTITLED AN ACT RELATING TO PUBLIC OBLIGATIONS IN REGISTERED FORM, with a favorable report.

By Representative Evans for the Committee on Banks and Thrift Institutions:

H. B. 978, A BILL TO BE ENTITLED AN ACT CONCERNING SECOND MORTGAGES ON RESIDENTIAL REAL PROPERTY, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for May 17, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Bumgardner for the Committee on Transportation:

Committee Substitute for S. B. 58, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 20-286(11) RELATING TO THE DEFINITION OF MOTOR VEHICLE DEALER, with a favorable report.

S. B. 306, A BILL TO BE ENTITLED AN ACT TO PERMIT CONSULAR OR DIPLOMATIC PLATES TO BE ISSUED TO ACCREDITED PERSONS WITHOUT REGARD TO THEIR COUNTRY OF NATIONALITY, with a favorable report.

By Representative Miller for the Committee on Judiciary No. 1:

H. B. 21, A BILL TO BE ENTITLED AN ACT TO REMOVE THE DEFENSE OF UNLAWFUL ARREST IN CASES OF RESISTING ARREST, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for May 16, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 178, A BILL TO BE ENTITLED AN ACT TO CREATE THE OFFENSE OF MISDEMEANOR EMBEZZLEMENT, with a favorable report, as amended.

H. B. 346, A BILL TO BE ENTITLED AN ACT TO SET LIMITS ON THE OPENING DATE FOR PUBLIC SCHOOLS, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for May 16, 1983. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for S. B. 97, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LENGTH OF TIME FOR WHICH NOTICE OF A FORECLOSURE HEARING MUST BE POSTED, with a favorable report, as amended.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Beall, Beard, Bowen, Childress, Church, Colton, N. J. Crawford, Evans, Fussell, Kennedy, Seymour, and Watkins:

H. B. 1040, A BILL TO BE ENTITLED AN ACT TO INCREASE EXAMINATION AND LICENSE FEES FOR INSURANCE AGENTS, ADJUSTERS, APPRAISERS, BROKERS, AND COMPANIES; BAIL BONDSMEN AND RUNNERS; COLLECTION AGENCIES; AND MOTOR CLUBS; AND TO APPROPRIATE FUNDS FOR ELECTRONIC DATA PROCESSING FOR THE DEPARTMENT OF INSURANCE, is referred to the Committee on Finance.

By Representatives B. Woodard, Anderson, Blue, Brown, Creecy, Enloe, Gentry, James, Lacey, Lilley, Locks, Lutz, and Murphy:

H. B. 1041, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR FURTHER IMPLEMENTATION OF THE PESTICIDE LAW OF 1971, is referred to the Committee on Appropriations.

By Representative Wright:

H. B. 1042, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN FORECLOSURE SALES, is referred to the Committee on Judiciary No. 2.

By Representative Pulley:

H. B. 1043, A BILL TO BE ENTITLED AN ACT TO REQUIRE DRIVERS TO YIELD THE RIGHT-OF-WAY TO VEHICLES GIVING A WARNING SIGNAL BY EITHER LIGHTS OR SIRENS, is referred to the Committee on Highway Safety.

By Representatives Huskins and Hauser:

H. B. 1044, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL ADMINISTRATIVE BOARDS OF COMMUNITY COLLEGES TO ESTABLISH COOPERATIVE PROGRAMS WITH HIGH SCHOOLS, is referred to the Committee on Higher Education.

By Representatives Gist, Adams, Ballance, Beall, Berry, Blue, Childress, Colton, J. W. Crawford, N. J. Crawford, Edwards, Enloe, Greenwood, Grimsley, Hasty, Hauser, Hunter, Jarrell, Jeralds, Kennedy, Lilley, Locks, Musselwhite, Nesbitt, Payne, Rabon,

Seymour, Slaughter, Watkins, Wicker, and Womble:

H. B. 1045, A BILL TO BE ENTITLED AN ACT ESTABLISHING A COUNCIL ON SMALL BUSINESS INVESTMENT COMPANIES AND PROVIDING FOR STATE LOANS TO SMALL BUSINESS INVESTMENT COMPANIES, is referred to the Committee on Small Business.

By Representatives James, Anderson, Black, Brown, Creecy, Enloe, Gentry, Greenwood, Grimsley, Jordan, Lacey, Lambeth, Lilley, Locks, Lutz, McAlister, Mavretic, Murphy, and B. Woodard:

H. B. 1046, A BILL TO BE ENTITLED AN ACT APPROPRIATING FUNDS FOR AGRICULTURE PROGRAMS AT NORTH CAROLINA STATE UNIVERSITY, is referred to the Committee on Appropriations.

By Representatives Greenwood, Anderson, Beall, Blue, Brown, Colton, N. J. Crawford, Enloe, Gentry, Hunter, James, Lacey, Lambeth, Lilley, Lutz, McAlister, Mavretic, Murphy, Nesbitt, Tyson, and B. Woodard:

H. B. 1047, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR SITE PREPARATION OF ADDITIONAL ACREAGE AT THE WESTERN NORTH CAROLINA FARMERS MARKET FOR FUTURE EXPANSION, is referred to the Committee on Appropriations.

By Representative Beall:

H. B. 1048, A BILL TO BE ENTITLED AN ACT TO MODIFY G. S. 160A-58.4 WITH RESPECT TO EXTRATERRITORIAL POWERS OUTSIDE SATELLITE CORPORATE LIMITS IN THE TOWN OF CANTON.

On motion of Representative Beall, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

By Representatives Lilley and Barker:

H. B. 1049, A BILL TO BE ENTITLED AN ACT TO ALLOW CITIES AND COUNTIES TO LEVY PROPERTY TAXES FOR INDUSTRIAL DEVELOPMENT AND ECONOMIC DEVELOPMENT, is referred to the Committee on Finance.

By Representatives McAlister, Anderson, Auman, Blue, Brannan, Colton, J. W. Crawford, N. J. Crawford, Enloe, Bob Etheridge, Foster, Gillam, Greenwood, Holt, Hudson, Hunter, James, Jarrell, Jones, Jordan, Lambeth, Lancaster, Lilley, Lutz, McDowell, Murphy, Musselwhite, Nash, Nesbitt, Quinn, Warren, Wicker, and Womble:

H. B. 1050, A BILL TO BE ENTITLED AN ACT CREATING A COMMITTEE FOR A COMPREHENSIVE STUDY OF THE PROPERTY TAX SYSTEM IN NORTH CAROLINA, is referred to the Committee on Rules and Operation of the House.

By Representatives Bruce Ethridge, Fulcher, and Tyndall:

H. B. 1051, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS FOR CARTERET AND ONSLOW ELDERLY SCREENING SERVICES, is referred to the Committee on Appropriations.

By Representatives Murphy and Lilley:

H. J. R. 1052, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF THOMAS JAMES BAKER, A FORMER MEMBER OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules and Operation of the House.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S. B. 429, A BILL TO BE ENTITLED AN ACT TO PROVIDE PAYMENT FOR ATTORNEYS OR GUARDIANS AD LITEM FOR CERTAIN PERSONS, is read the first time and is referred to the Committee on Judiciary No. 4.

Senate Committee Substitute for H. B. 414, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COURT TO ENJOIN THE DISPOSAL OF MARITAL PROPERTY PENDING INSTITUTION OF AN EQUITABLE DISTRIBUTION ACTION, is returned for concurrence in Senate committee substitute.

On motion of Representative Hackney, the bill is placed on the Calendar for May 13, 1983.

Senate Committee Substitute for H.B. 468, A BILL TO BE ENTITLED AN ACT TO REVISE THE PROCEDURES FOR NOMINATION OF CANDIDATES TO THE STATE BOARD OF COMMUNITY COLLEGES, is returned for concurrence in Senate committee substitute and is placed on the Calendar for May 13, 1983.

S. B. 39, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 39 TO FURTHER EQUALIZE BETWEEN MARRIED PERSONS THE RIGHT TO INCOME, POSSESSION AND CONTROL IN PROPERTY OWNED CONCURRENTLY IN TENANCY BY THE ENTIRETY, is read the first time and is referred to the Committee on Judiciary No. 3.

Committee Substitute for S. B. 89, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 50 OF THE GENERAL STATUTES TO ESTABLISH PROCEDURES TO INSURE PAYMENT OF CHILD SUPPORT, is read the first time and is referred to the Committee on Judiciary No. 4.

Committee Substitute for S. B. 90, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 15A OF THE GENERAL STATUTES TO ESTABLISH PROCEDURES TO INSURE PAYMENT OF CHILD SUPPORT, is read the first time and is referred to the Committee on Judiciary No. 4.

S. B. 235, A BILL TO BE ENTITLED AN ACT TO REINSTATE THE FELONY CHARGE AND PUNISHMENT FOR SECOND ESCAPES AND TO CLARIFY A YOUTHFUL OFFENDER ESCAPE PROVISION, is read the first time and is referred to the Committee on Judiciary No. 2.

S. B. 320, A BILL TO BE ENTITLED AN ACT TO ALLOW THE STATE TO TAKE A VOLUNTARY DISMISSAL WITH LEAVE WHEN A DEFENDANT IS FOUND INCAPABLE OF PROCEEDING, is read the first time and is referred to the Committee on Judiciary No. 2.

S. B. 386, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM, is read the first time and is referred to the Committee on Local Government No. 1.

CALENDAR

Action is taken on the following:

H. B. 580, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE TO PROVIDE FOR AN ALTERNATIVE EMINENT DOMAIN PROCEDURE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Allran, Auman, Ballance, Barbee, Barker, Barnes, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Childress, Church, Coble, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lutz, McAlister, McDowell, Mauney, Mavretic, Murphy, Musselwhite, Nash, Nesbitt, Owens, Poovey, Pulley, Quinn, Redding, Roberts, Slaughter, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 94.

Voting in the negative: None.

Excused absences: Representatives Adams, Edwards, Ligon, Locks, Payne, Robinson, and Stamey — 7.

H. B. 579, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MINIMUM AMOUNT FOR CONSTRUCTION CONTRACTS WHICH REQUIRE PERFORMANCE AND PAYMENT BONDS.

On motion of Representative Brennan, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 618, A BILL TO BE ENTITLED AN ACT TO REVISE THE CHARTER OF THE CITY OF LUMBERTON, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 822, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM FINE FOR LITTERING IN THE CITY OF CHARLOTTE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H.B. 890, A BILL TO BE ENTITLED AN ACT TO ALLOW ALL SANITARY DISTRICTS TO EXERCISE ALL POWERS PERMITTED BY THE SANITARY DISTRICT LAW.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Anderson, Auman, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brennan,

Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Enloe, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, Hunt, Hunter, Huskins, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Poovey, Pulley, Quinn, Redding, Roberts, Slaughter, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 98.

Voting in the negative: None.

Excused absences: Representatives Adams, Edwards, Ligon, Locks, Payne, Robinson, and Stamey — 7.

Committee Substitute for H. B. 455, A BILL TO BE ENTITLED AN ACT TO ESTABLISH UNIFORM REGULAR AND SPECIAL CONDITIONS OF PROBATION, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Anderson, Auman, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Cochrane, Colton, Cook, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Bruce Ethridge, Evans, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, Hunt, Hunter, Huskins, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Poovey, Pulley, Quinn, Redding, Roberts, Slaughter, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 96.

Voting in the negative: None.

Excused absences: Representatives Adams, Edwards, Ligon, Locks, Payne, Robinson, and Stamey — 7.

H. B. 471, A BILL TO BE ENTITLED AN ACT TO REQUIRE A SUPERVISON FEE OF ALL PERSONS PLACED ON PAROLE, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Anderson, Auman, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Holmes, Holt, Hudson, C. Hughes, Hunt, Hunter, Huskins, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Slaughter, Spaulding, Spoon, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 99.

Voting in the negative: None.

Excused absences: Representatives Adams, Edwards, Ligon, Locks, Payne, Robinson, and Stamey — 7.

Committee Substitute for H. B. 124, A BILL TO BE ENTITLED AN ACT TO EXPAND THE USE OF OUTPATIENT INVOLUNTARY COMMITMENTS FOR THE MENTALLY ILL, passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 744, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 14-320.1 TO RECOGNIZE CHILD CUSTODY ORDERS ISSUED IN OTHER STATES, passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 999, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE SALES AND USE TAX TREATMENT OF CERTAIN COMPUTER PROGRAMS USED BY TELEPHONE COMPANIES.

Representative Bruce Ethridge requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill passes its second reading, by electronic vote (97-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 956, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 115D-20 RELATING TO POWERS AND DUTIES OF TRUSTEES OF COMMUNITY COLLEGES.

On motion of Representative Lee, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (101-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 1008, A BILL TO BE ENTITLED AN ACT TO PERMIT AGRICULTURAL COMMODITY ASSOCIATIONS TO RECOVER AUDIT COSTS, passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 818, A BILL TO BE ENTITLED AN ACT TO REQUIRE LOCAL TAX-LEVYING AUTHORITY APPROVAL FOR ALL IMPROVEMENTS TO COMMUNITY COLLEGES AND TECHNICAL INSTITUTES FUNDED FROM PRIVATE SOURCES BEFORE THE LOCAL TAX-LEVYING AUTHORITY WILL BE RESPONSIBLE FOR LOCAL FINANCIAL SUPPORT.

Representative Coble offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (94-10), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 988, A BILL TO BE ENTITLED AN ACT TO REWRITE THE STATUTE UNDER WHICH NONPUBLIC POST-SECONDARY EDUCATIONAL INSTITUTIONS MAY BE LICENSED TO CONDUCT POST-SECONDARY DEGREE ACTIVITY IN NORTH CAROLINA.

On motion of Representative Thomas, Committee Amendment No. 1 is adopted.

Representative Hackney offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (101-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 851, A BILL TO BE ENTITLED AN ACT CLARIFYING PROCEDURES OF LOCAL INSPECTION DEPARTMENTS AND AUTHORIZING COMPENSATION ON LOCAL PLANNING AGENCIES.

Representative Miller offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 763, A BILL TO BE ENTITLED AN ACT TO ASSURE EFFECTIVE PROSECUTION OF THE OFFENSE OF DRIVING WHILE LICENSE REVOKED WHEN A DEFENDANT HAS FAILED TO NOTIFY THE DIVISION OF MOTOR VEHICLES OF A CHANGE OF ADDRESS AS REQUIRED BY LAW.

On motion of Representative Economos, Committee Amendment No. 1 is adopted.

On motion of Representative Blue, the bill is ordered engrossed and re-referred to the Committee on Judiciary No. 4.

H. B. 930, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PLACEMENT OF WARNING SIGNS NEAR LOCATIONS WHERE DRIVERS'S LICENSE CHECKPOINTS ARE ESTABLISHED.

On motion of Representative Wicker, Committee Amendment No. 1 is adopted.

On motion of Representative Church, Committee Amendment No. 2 is adopted.

Representative Womble moves that the bill be re-referred to the Committee on Law Enforcement.

On motion of Representative Mavretic, consideration of the bill is postponed until May 16, 1983.

H. B. 838, A BILL TO BE ENTITLED AN ACT TO ADD NONVIOLENT OFFENDERS IN THE TWENTY-ONE TO TWENTY-FOUR AGE GROUP TO THE COMMITTED YOUTHFUL OFFENDER LAW, passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 995, A BILL TO BE ENTITLED AN ACT TO GRANT CERTAIN DOMICILIARY CARE FACILITIES AN EXEMPTION FROM REPORTING AND UNIFORM CHART OF ACCOUNTS REQUIREMENTS.

On motion of Representative McDowell, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (96-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 757, A BILL TO BE ENTITLED AN ACT TO CLARIFY PROVISIONS IN THE READABLE INSURANCE POLICIES ACT, passes its second reading, by electronic vote (96-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S. B. 194, A BILL TO BE ENTITLED AN ACT TO REWRITE CERTAIN OF THE FOREST LAWS OF NORTH CAROLINA.

Representative Bruce Ethridge offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading by electronic vote (96-0).

Representative Miller objects to the third reading. The bill remains on the Calendar.

House Committee Substitute for S. B. 67, A BILL TO BE ENTITLED AN ACT TO MAKE THE CHARITABLE SOLICITATION LICENSURE ACT INAPPLICABLE TO CERTAIN FOUNDATIONS AND TRUSTS, passes its second reading, by electronic vote (95-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

S. B. 299, A BILLTO BE ENTITLED AN ACT TO REMOVE RETIREMENT AGE RESTRICTIONS IN THE UNORGANIZED MILITIA AND THE NORTH CAROLINA STATE DEFENSE MILITIA.

On motion of Representative Barker, consideration of the bill is postponed until May 13, 1983.

S. B. 300, A BILL TO BE ENTITLED AN ACT TO REVISE THE PROCEDURES FOR NONJUDICIAL PUNISHMENT AND SUMMARY COURTS-MARTIAL IN THE NORTH CAROLINA NATIONAL GUARD.

On motion of Representative Barker, consideration of the bill is postponed until May 13, 1983.

S. B. 301, A BILL TO BE ENTITLED AN ACT TO ADOPT THE USE OF THE CURRENT MANUAL FOR COURTS-MARTIAL.

On motion of Representative Barker, consideration of the bill is postponed until May 13, 1983.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. J. R. 480, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CLAUDE H. FARRELL, JR.

S. B. 348, AN ACT TO ALLOW STOKES AND SURRY COUNTIES TO NAME

AND ASSIGN STREET NUMBERS TO PRIVATE ROADS IN UNINCORPORATED AREAS.

H. B. 617, AN ACT TO IMPOSE A SEPARATE PRIVILEGE LICENSE TAX ON PERSONS ENGAGED IN AN ALARM SYSTEM BUSINESS LICENSED UNDER THE PRIVATE PROTECTIVE SERVICES ACT.

H. B. 1048, AN ACT TO MODIFY G. S. 160A-58.4 WITH RESPECT TO EXTRATERRITORIAL POWERS OUTSIDE SATELLITE CORPORATE LIMITS IN THE TOWN OF CANTON.

On motion of Representative Hunt, seconded by Representative Black, the House adjourns to reconvene May 13, 1983 at 11:00 a.m.

EIGHTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Friday, May 13, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Fussell.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of May 12 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Barker, Blue, Helms, James, Ligon, Locks, Payne, Pool, Robinson, Stamey, and Tyson for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Lambeth for the Committee on Wildlife Resources:

H. B. 994, A BILL TO BE ENTITLED AN ACT TO PERMIT THE USE OF HANDGUNS IN TAKING BIG GAME MAMMALS, with a favorable report, as amended.

By Representative Economos for the Committee on Aging:

H. B. 688, A BILL TO BE ENTITLED AN ACT TO AMEND THE LICENSING OF DOMICILIARY HOMES FOR THE AGED OR DISABLED AND THE DOMICILIARY BILL OF RIGHTS, with a favorable report, as amended.

By Representative Brennan for the Committee on Human Resources:

H. B. 779, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CERTIFICATE OF NEED LAW FOR LIFE CARE CENTERS, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for May 17, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 975, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ALL CERTIFICATES OF NEED FOR ICF AND SNF BED CAPACITY ISSUED BEFORE JULY 1, 1983, ARE WITHDRAWN AS TO BED CAPACITY NOT CONSTRUCTED OR IN OPERATION ON OR BEFORE JULY 1, 1985, with a favorable report, as amended, and placed on the Calendar for May 17, 1983.

By Representative B. Woodard for the Committee on Health:

H. B. 767, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 90-108 TO PROHIBIT EMBEZZLEMENT OF CONTROLLED SUBSTANCES BY EMPLOYEES OF PRACTITIONERS AND REGISTRANTS, AND TO PROHIBIT "DOCTOR SHOPPING" AS A MEANS OF FRAUDULENTLY OBTAINING CONTROLLED SUBSTANCES FROM PRACTITIONERS, with a favorable report.

By Representative Holt for the Committee on Constitutional Amendments:

H. B. 451, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE PUBLICATION OF SUMMARIES OF PROPOSED CONSTITUTIONAL AMENDMENTS, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for May 17, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Lancaster for the Committee on Judiciary No. 3:

H. B. 743, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSUMER PROTECTION LAW TO MAKE IT EASIER FOR CONSUMERS TO ENFORCE THE RIGHTS GRANTED TO THEM UNDER THE LAW, with an indefinite postponement report.

H. B. 752, A BILL TO BE ENTITLED AN ACT TO PERMIT THE PARTY HAVING BEEN A VICTIM OF PROHIBITED ACTS BY DEBT COLLECTORS TO COLLECT ATTORNEY'S FEES, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for May 17, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 1034, A BILL TO BE ENTITLED AN ACT TO CALARIFY THE PROCEDURES USED UNDER THE FAIR SENTENCING ACT WHEN SEVERAL CRIMES ARE CONSOLIDATED FOR JUDGMENT, with a favorable report.

By Representative Wright for the Committee on Judiciary No. 2:

H. B. 722, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE INDEPENDENCE OF THE INDUSTRIAL COMMISSION FROM THE SECRETARY OF COMMERCE IN THE APPOINTMENT OF DEPUTY COMMISSIONERS AND IN THE EXERCISE OF ITS QUASIJUDICIAL FUNCTIONS, with a favorable report.

By Representative McAlister for the Committee on Water and Air Resources:

H. B. 559, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF LANDFILLING FOR CERTAIN CLASSES OF HAZARDOUS WASTES AND OTHER SOLID WASTES, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for May 17, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Hunt for the Committee on Rules and Operation of the House:

H. J. R. 934, A JOINT RESOLUTION HONORING THE MEMORY OF THE MEMBERS OF THE GENERAL ASSEMBLY OF 1783 AND OF GOVERNOR ALEXANDER MARTIN, with a favorable report, as amended.

On motion of Representative Tennille, the resolution is placed on the Calendar for May 16, 1983 as a Special Order of Business.

On motion of Representative Pulley, Committee Substitute for H. B. 800, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 65 RELATING TO FUNERAL AND BURIAL TRUST FUNDS, is withdrawn from the Calendar of May 17, 1983 and is re-referred to the Committee on Judiciary No. 4.

SUSPENSION OF RULES TO INTRODUCE LOCAL BILL

On motion of Representative Lilley, Rule 31.1 is suspended by a two-thirds majority vote in order for a local bill to be filed.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Foster, Mauney, Mavretic, and Poovey:

H. B. 1053, A BILL TO BE ENTITLED AN ACT TO UPGRADE THE QUALITY OF ELEMENTARY AND SECONDARY SCHOOLS IN NORTH CAROLINA BY REVISING THE STATE'S SYSTEM OF EMPLOYMENT OF INSTRUCTIONAL AND SUPERVISORY PERSONNEL IN THE PUBLIC SCHOOLS, is referred to the Committee on Education.

By Representative Payne:

H. B. 1054, A BILL TO BE ENTITLED AN ACT PERTAINING TO CERTIFICATION REQUIREMENTS FOR SPEECH-LANGUAGE SPECIALISTS EMPLOYED IN THE PUBLIC SCHOOLS, is referred to the Committee on Judiciary No. 1.

By Representatives Mauney, Foster, Mavretic, and Poovey:

H. B. 1055, A BILL TO BE ENTITLED AN ACT TO IMPROVE NORTH CAROLINA'S SYSTEM OF ELEMENTARY AND SECONDARY EDUCATION BY CLARIFYING THE STATE'S SYSTEM OF EDUCATIONAL FINANCE AND ASSISTING UNITS OF LOCAL GOVERNMENT IN MEETING PUBLIC SCHOOL FUNDING RESPONSIBILITIES, is referred to the Committee on Finance.

By Representatives Tennille, Childress, Hauser, and Kennedy:

H. B. 1056, A BILL TO BE ENTITLED AN ACT AMENDING CHAPTER 1127 OF THE 1981 SESSION LAWS TO PERMIT CERTIFICATES OF NEED FOR CERTAIN FACILITIES REPLACING DEMOLISHED FACILITIES, is referred to the Committee on Human Resources.

By Representative Mavretic:

H. B. 1057, A BILL TO BE ENTITLED AN ACT TO REGULATE FOLLOWING DISTANCES BETWEEN SCHOOL BUSES OUTSIDE AND WITHIN MUNICIPALITIES, is referred to the Committee on Highway Safety.

By Representatives Beall and Church:

H. B. 1058, A BILL TO BE ENTITLED AN ACT TO REQUIRE CLERKS OF COURT TO DEPOSIT FUNDS RECEIVED BY THEM TO BE DISBURSED TO THE COUNTIES IN AN INTEREST-BEARING ACCOUNT, is referred to the Committee on Courts and Administration of Justice.

By Representatives Childress, Ballance, Beall, Black, Blue, Bowen, Brennan, Brown, Chapin, Diamont, Easterling, Economos, Edwards, Enloe, Evans, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hasty, Hauser, Hayden, Helms, Hudson, C. Hughes, Jarrell, Jeralds, Keesee, Lacey, Lambeth, Matthews, Nesbitt, Rabon, Slaughter, Spaulding, Tyndall, Varner, Warren, Wicker, Womble, B. Woodard, and C. Woodard:

H. B. 1059, A BILL TO BE ENTITLED AN ACT TO PROVIDE TUITION WAIVER FOR DEPENDENT CHILDREN OF NORTH CAROLINA PUBLIC SCHOOL TEACHERS, ATTENDING ANY OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA, is referred to the Committee in Higher Education.

By Representatives Mavretic, Foster, Mauney, and Poovey:

H. B. 1060, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION AND THE GENERAL STATUTES TO PROVIDE FOR THE ELECTION OF THE MEMBERS OF THE STATE BOARD OF EDUCATION BY THE GENERAL ASSEMBLY AND TO MAKE THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION APPOINTIVE, is referred to the Committee on Constitutional Amendments.

By Representative Lancaster:

H. B. 1061, A BILL TO BE ENTITLED AN ACT TO ENSURE DUE PROCESS FOR PERSONS WHOSE CARS ARE TOWED PURSUANT TO A LAW ENFORCEMENT OFFICER'S ORDER, is referred to the Committee on Judiciary No. 3.

By Representatives Payne and Matthews:

H. B. 1062, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE FACT THAT A PERSON OWNS LESS THAN TEN PERCENT OF THE STOCK OF A CORPORATION OR HAS A TEN PERCENT OR LESS OWNERSHIP IN ANY OTHER BUSINESS ENTITY OR IS AN EMPLOYEE OF A CORPORATION OR OTHER BUSINESS ENTITY DOES NOT VIOLATE THE DIRECTOR OF PUBLIC TRUST STATUTES, is referred to the Committee on Judiciary No. 1.

By Representatives Diamont, Gentry, and Hayden:

H. B. 1063, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS FOR ASHE AND WATAUGA ELDERLY SCREENING SERVICES, is referred to the Committee on Appropriations.

By Representatives Jones, Barker, Black, Brennan, Easterling, Foster, Huskins, Lancaster, Lilley, Mavretic, Warren, and C. Woodard:

H. B. 1064, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CORRECTION TO CONTRACT WITH THE GREENE COUNTY UNIT OF LENOIR COMMUNTIUY COLLEGE FOR EDUCATIONAL PROGRAMS AT THE EASTERN CORRECTIONAL CENTER AT MAURY, is referred to the Committee on Corrections.

By Representatives Blue, Hauser, and Musselwhite:

H. B. 1065, A BILL TO BE ENTITLED AN ACT TO PROVIDE EQUITY FOR VOTING BY DISABLED AND ELDERLY PERSONS, is referred to the Committee on Election Laws.

By Representative Blue:

H. B. 1066, A BILL TO BE ENTITLED AN ACT TO CORRECT OBSOLETE REFERENCES IN THE TERMINATION OF PARENTAL RIGHTS LAW, is referred to the Committee on Judiciary No. 3.

By Representatives Lutz, Anderson, Black, Brawley, Brown, Creecy, Enloe, Gentry, Greenwood, Grimsley, James, Jordan, Lacey, Lambeth, Lilley, Locks, McAlister, Mavretic, and Murphy:

H. B. 1067, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR EXPANSION OF FOREIGN AND DOMESTIC MARKET DEVELOPMENT, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S. B. 321, A BILL TO BE ENTITLED AN ACT TO MAKE APPROPRIATE PUNISHMENT CLASSIFICATIONS FOR CONSPIRACIES TO COMMIT FELONIES, is read the first time and is referred to the Committee on Judiciary No. 4.

S. B. 430, A BILL TO BE ENTITLED AN ACT CREATING A PROGRAM OF EARLY PAROLE FOR NONDANGEROUS PRISONERS WHO CONSENT TO COMPLETE SERVICE OF THEIR TERMS THROUGH COMMUNITY SERVICE, is read the first time and is referred to the Committee on Judiciary No. 1.

Committee Substitute for S. B. 346, A BILL TO BE ENTITLED AN ACT TO PERMIT ACTIVE MEMBERS OF THE ARMED SERVICES AND THEIR DEPENDENTS TO BE ELIGIBLE FOR IN-STATE TUITION AT STATE COMMUNITY COLLEGES, TECHNICAL INSTITUTIONS AND THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA, is read the first time and is referred to the Committee on Military and Veterans' Affairs.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for H. B. 468, A BILL TO BE ENTITLED AN ACT TO REVISE THE PROCEDURES FOR NOMINATION OF CANDIDATES TO THE STATE BOARD OF COMMUNITY COLLEGES.

On motion of Representative Thomas, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

Senate Committee Substitute for H. B. 414, A BILL TO BE ENTITLED AN ACT TO ALLOW THE COURT TO ENJOIN THE DISPOSAL OF MARITAL PROPERTY PENDING INSTITUTION OF AN EQUITABLE DISTRIBUTION ACTION.

On motion of Representative Hackney, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

H. B. 580, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE TO PROVIDE FOR AN ALTERNATIVE EMINENT DOMAIN PROCEDURE, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Anderson, Auman, Ballance, Barbee, Barnes, Beall, Beam, Beard, Berry, Black, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Chapin, Childress, Church, Coble, Cochrane, Colton, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holmes, Holt, Hudson, C. Hughes, Hunt, Huskins, Jarrell, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Lutz, McAlister, McDowell, Matthews, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Poovey, Pulley, Quinn, Redding, Roberts, Seymour, Slaughter, Spaulding, Spoon, Tennille, Thomas, Tyndall, Varner, Warren, Womble, B. Woodard, C. Woodared — 89.

Voting in the negative: None.

Excused absences: Representatives Barker, Blue, Helms, James, Ligon, Locks, Mauney, Payne, Pool, Robinson, Stamey, and Tyson — 12.

House Committee Substitute for S. B. 168, A BILL TO BE ENTITLED AN ACT TO DEDICATE FUNDS FOR THE HENDERSON COUNTY COURTHOUSE.

On motion of Representative C. Hughes, consideration of the bill is postponed until May 17, 1983.

S. B. 447, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GENERAL LAW AS TO VOTER ASSISTANCE APPLIES IN CHEROKEE COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 252, A BILL TO BE ENTITLED AN ACT TO AMEND THE COUNTY SPECIAL ASSESSMENTS LAW (G. S. CHAPTER 153A, ARTICLE 9) WITH RESPECT TO SMALL WATERSHEDS, DRAINAGE PROGRAMS, AND MAINTENANCE CHARGES, TO AUTHORIZE COUNTY SPENDING AND TAXES FOR DRAINAGE PROJECTS, AND TO MAKE RELATED CHANGES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barnes, Beall, Beam, Beard, Berry, Black, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hightower, Holmes, Holt, Hudson, C. Hughes, Hunt, Hunter, Huskins, Jarrell, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Lutz, McAlister, McDowell, Matthews, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Seymour, Slaughter, Spaulding, Spoon, Tennille, Thomas, Tyndall, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 96.

Voting in the negative: Representative Hayden.

Excused absences: Representatives Barker, Blue, Helms, James, Ligon, Locks, Mauney, Payne, Pool, Robinson, Stamey, and Tyson — 12.

S. B. 410, A BILL TO BE ENTITLED AN ACT RELATING TO PUBLIC OBLIGATIONS IN REGISTERED FORM, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barnes, Beall, Beam, Beard, Berry, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holmes, Holt, Hudson, C. Hughes, Hunt, Huskins, Jarrell, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Lutz, McAlister, McDowell, Matthews, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Seymour, Slaughter, Spaulding, Spoon, Tennille, Thomas, Tyndall, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 96.

Voting in the negative: None.

Excused absences: Representatives Barker, Blue, Helms, James, Ligon, Locks, Mauney, Payne, Pool, Robinson, Stamey, and Tyson — 12.

Committee Substitute for H. B. 716, A BILL TO BE ENTITLED AN ACT TO ASSURE UNEMPLOYMENT INSURANCE TRUST FUND SOLVENCY AND COMPLIANCE WITH FEDERAL LAW.

Representative Enloe offers Amendment No. 1 which is adopted.

The bill as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barnes, Beall, Beam, Beard, Berry, Black, Bowen, Brannan, Brennan, Brown, Bumgardner, Burnley, Chapin, Childress, Church, Coble, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Holmes, Holt, Hudson, C. Hughes, Hunter, Huskins, Jarrell, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lutz, McAlister, McDowell, Matthews, Mavretic, Miller, Murphy, Musselwhite, Nash, Poovey, Pulley, Quinn, Rabon, Roberts, Seymour, Slaughter, Spaulding, Spoon, Tennille, Thomas, Tyndall, Varner, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 89.

Voting in the negative: Representatives Brawley, Brubaker, Cochrane, and Redding — 4.

Excused absences: Representatives Barker, Blue, Helms, James, Ligon, Locks, Mauney, Payne, Pool, Robinson, Stamey, and Tyson — 12.

S. B. 194, A BILL TO BE ENTITLED AN ACT TO REWRITE CERTAIN OF THE FOREST LAWS OF NORTH CAROLINA.

The bill, as amended, passes its third reading, by electronic vote (90-0), and is ordered sent to the Senate for concurrence in House amendment.

Committee Substitute for H. B. 832, A BILL TO BE ENTITLED AN ACT TO ACCELERATE THE PAROLE OF CERTAIN INMATES WHEN NECESSARY FOR EFFECTIVE PRISON MANAGEMENT, passes its second reading, by electronic vote (93-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 519, A BILL TO BE ENTITLED AN ACT TO REVISE THE QUALIFICATIONS FOR REAL ESTATE LICENSES, passes its second reading, by electronic vote (99-0), and there being no objection is read a third time.

The bill, passes its third reading and is ordered sent to the Senate.

Committe Substitute for H. B. 916, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE GOVERNOR'S MANAGEMENT COUNCIL, passes its second reading by electronic vote (85-5).

Representative Watkins objects to the third reading. The bill remains on the Calendar.

Committee Substitute for H. B. 759, A BILL TO BE ENTITLED AN ACT TO SPECIFY A SUMMONS FOR TERMINATION OF PARENTAL RIGHTS CASES, TO PROVIDE FOR AN ANSWER IN SUCH CASES, AND TO SPECIFY WHO IS TO RECEIVE COPIES OF TERMINATION OF PARENTAL RIGHTS ORDERS.

On motion of Representative Cook, consideration of the bill is postponed until May 17, 1983.

Committee Substitute for H. B. 933, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALTERATION OF A MARRIAGE LICENSE WHEN A PARTY TO THE MARRIAGE LAWFULLY CHANGES HIS OR HER NAME.

On motion of Representative Cook, consideration of the bill is postponed until May 17, 1983.

Committee Substitute for H. B. 737, A BILL TO BE ENTITLED AN ACT TO AMEND THE EMPLOYMENT SECURITY LAW TO ASSURE FEDERAL COMPLIANCE AND OTHER TECHNICAL AMENDMENTS.

Representative Enloe offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (93-3), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 921, A BILL TO BE ENTITLED AN ACT MAKING BIGAMY A MISDEMEANOR, passes its second reading, by electronic vote (83-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 922, A BILL TO BE ENTITLED AN ACT TO MAKE WITNESS INTIMIDATION A FELONY.

On motion of Representative Hunter, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (90-2), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 1014, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 18B OF GENERAL STATUTES CHAPTER 58 IN ORDER TO CONTINUE NORTH CAROLINA'S ELIGIBILITY FOR RIOT REINSURANCE UNDER THE FEDERAL FAIR PLAN, passes its second reading, by electronic vote (87-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 178, A BILL TO BE ENTITLED AN ACT TO CREATE THE OFFENSE OF MISDEMEANOR EMBEZZLEMENT.

On motion of Representative Miller, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (87-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

S. B. 240, A BILL TO BE ENTITLED AN ACT TO AMEND THE RIGHT TO A NATURAL DEATH ACT, passes its second reading, by electronic vote (65-20), and there being no objection is read a third time.

Representative Hightower offers Amendment No. 1 which fails of adoption by electronic vote (34-51).

The bill passes its third reading, by electronic vote (65-24), and is ordered enrolled.

S. B. 299, A BILL TO BE ENTITLED AN ACT TO REMOVE RETIREMENT AGE RESTRICTIONS IN THE UNORGANIZED MILITIA AND THE NORTH CAROLINA STATE DEFENSE MILITIA, passes its second reading, by electronic vote (94-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 300, A BILL TO BE ENTITLED AN ACT TO REVISE THE PROCEDURES FOR NONJUDICIAL PUNISHMENT AND SUMMARY COURTS-MARTIAL IN THE NORTH CAROLINA NATIONAL GUARD, passes its second reading, by electronic vote (96-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 301, A BILL TO BE ENTITLED AN ACT TO ADOPT THE USE OF THE CURRENT MANUAL FOR COURTS-MARTIAL, passes its second reading, by electronic vote (92-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for S. B. 58, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 20-286(11) RELATING TO THE DEFINITION OF MOTOR VEHICLE DEALER, passes its second reading, by electronic vote (80-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 306, A BILL TO BE ENTITLED AN ACT TO PERMIT CONSULAR OR DIPLOMATIC PLATES TO BE ISSUED TO ACCREDITED PERSONS WITHOUT

REGARD TO THEIR COUNTRY OR NATIONALITY, passes its second reading, by electronic vote (79-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Senate Committee Substitute for S. B. 97, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LENGTH OF TIME FOR WHICH NOTICE OF A FORECLOSURE HEARING MUST BE POSTED.

On motion of Representative Hackney, Committee Amendment No. 1 is adopted. This amendment changes the title.

On motion of Representative Wicker, consideration of the bill is postponed until May 17, 1983.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. B. 273, AN ACT TO AUTHORIZE EMERGENCY ADMISSIONS OF JUVENILES TO TREATMENT FACILITIES.

H. B. 52, AN ACT TO ALLOW AN INCOME TAX DEDUCTION FOR CONTRIBUTIONS TO RADIO EMERGENCY ASSOCIATION OF CITIZENS TEAMS.

H. B. 485, AN ACT TO PROVIDE FOR THE SIMULTANEOUS ISSUANCE OF ABSENTEE BALLOTS AND THE APPLICATION FOR ABSENTEE BALLOTS WHEN A VOTER MAKES A PERSONAL REQUEST PURSUANT TO G. S. 163-226.

H. B. 504, AN ACT TO PROHIBIT HUNTING FROM DESIGNATED HIGHWAYS AND STATE SECONDARY ROADS IN CRAVEN COUNTY.

H. B. 643, AN ACT TO AMEND THE DAM SAFETY LAW RELATING TO THE DEFINITION OF THE TERM "DAM".

On motion of Representative Hunt, seconded by Representative McDowell, the House adjourns to reconvene Monday, May 16, 1983 at 8:00 p.m.

EIGHTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Monday, May 16, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Lilley.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of May 13 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Anderson, Brennan, Burnley, Bruce Ethridge, Gist, Holmes, Hudson, James, Keesee, and Ligon for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Wright for the Committee on Judiciary No. 2:

H. B. 946, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 14-288.8 CONCERNING WEAPONS OF MASS DESTRUCTION, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Watkins and Miller:

H. B. 1068, A BILL TO BE ENTITLED AN ACT TO PERMIT PAYROLL DEDUCTIONS FOR EMPLOYEES' ASSOCIATIONS AT COMMUNITY COLLEGES, is referred to the Committee on Higher Education.

By Representatives Ballance, Beall, Berry, J. W. Crawford, Creecy, Bruce Ethridge, Foster, Gentry, Hauser, Hightower, Jones, Lee Lutz, Matthews, Mavretic, Murphy, Roberts, and Tyson:

H. B. 1069, A BILL TO BE ENTITLED AN ACT TO EXTEND THE APPLICATION OF THE READABLE INSURANCE POLICIES ACT, is referred to the Committee on Insurance.

By Representative Gentry:

H. B. 1070, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT JUDGES OF ELECTION, LIKE OTHER PRECINCT OFFICIALS, MAY REGISTER VOTERS ANYWHERE IN THE COUNTY, is referred to the Committee on Election Laws.

By Representative Spoon:

H. B. 1071, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REGISTRATION OF MO-PEDS, is referred to the Committee on Highway Safety.

By Representative Barnes:

H. B. 1072, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONTINUATION OF THE JUVENILE LAW STUDY COMMISSION, is referred to the Committee on Appropriations.

By Representatives Anderson, Black, Brown, Creecy, Enloe, Gentry, Greenwood, James, Lacey, Lambeth, Lilley, Locks, Lutz, McAlister, Mavretic, Murphy, and B. Woodard:

H. B. 1073, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR IMPLEMENTING A PROGRAM OF GRAIN MOISTURE METER TESTING, is referred to the Committee on Appropriations.

By Representatives Warren, Anderson, Brennan, Creecy, Easterling, Economos, Evans, Foster, Gillam, Jones, Lancaster, Tyndall, and C. Woodard:

H. B. 1074, A BILL TO BE ENTITLED AN ACT TO ALLOW UNUSED SICK LEAVE TO BE COUNTED IN DETERMINING ELIGIBILITY FOR SERVICE RETIREMENT WITH THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LAW ENFORCEMENT OFFICERS' BENEFIT AND

RETIREMENT FUND AND TO MAKE AN APPROPRIATION, is referred to the Committee on Pensions and Retirement.

By Representative Brennan:

H. B. 1075, A BILL TO BE ENTITLED AN ACT TO PROVIDE MORE RULEMAKING FLEXIBILITY FOR THE CHILD DAY-CARE LICENSING COMMISSION AND TO REGULATE TEMPORARY CHILD DAY-CARE FACILITIES, is referred to the Committee on Human Resources.

By Representative Wright:

H. B. 1076, A BILL TO BE ENTITLED AN ACT TO INCREASE MINIMUM REQUIREMENT FOR FINANCIAL RESPONSIBILITY PROOF OR SECURITY DEPOSIT REQUIREMENTS TO FIVE HUNDRED DOLLARS, is referred to the Committee on Highway Safety.

By Representative Miller:

H. B. 1077, A BILL TO BE ENTITLED AN ACT TO SET FORTH THE PROCEDURE TO SUPPRESS A PRIOR CONVICTION OBTAINED IN VIOLATION OF THE RIGHT TO COUNSEL, is referred to the Committee on Judiciary No. 1.

By Representative Hunter:

H. B. 1078, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE JOHN CARSON HOUSE AT PLEASANT GARDENS IN MCDOWELL COUNTY, is referred to the Committee on Cultural Resources.

By Representative Hunter:

H. B. 1079, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE ROLE OF POLITICAL PARTIES IN ELECTION FINANCING, is referred to the Committee on Election Laws.

By Representatives Fussell, Allran, Anderson, Barker, Blue, Brennan, Brown, Brubaker, Childress, Church, Clark, Coble, J. W. Crawford, N. J. Crawford, Creecy, Easterling, Economos, Edwards, Enloe, Bruce Ethridge, Fenner, Foster, Fulcher, Gillam, Greenwood, Grimsley, Hauser, Hayden, C. Hughes, Huskins, James, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lee, Lilley, Locks, McDowell, Matthews, Mauney, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Rabon, Spoon, Stamey, Tennille, Tyndall, Tyson, Warren, Watkins, Womble, B. Woodard, and C. Woodard:

H. J. R. 1080, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE FEASIBILITY OF ALLOWING TEACHERS AND OTHER STATE EMPLOYEES TO TAKE UP TO ONE YEAR IN LEAVE WITHOUT PAY, is referred to the Committee on Rules and Operation of the House.

By Representatives Lilley and Gentry:

H. B. 1081, A BILL TO BE ENTITLED AN ACT TO EMPOWER LENOIR MEMORIAL HOSPITAL AND STOKES-REYNOLDS MEMORIAL HOSPITAL TO USE ATTACHMENT AND GARNISHMENT PROCEDURES FOR COLLECTING UNPAID BILLS, is referred to the Committee on Local Government No. 1.

By Representatives Church, J. W. Crawford, and Watkins:

H. B. 1082, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS TO PERMIT PERSON COUNTY TO PARTICIPATE IN THE COMPREHENSIVE SCREENING PROGRAM FOR THE ELDERLY PURSUANT TO CHAPTER 675, 1981 SESSION LAWS, is referred to the Committee on Appropriations.

By Representative Seymour:

H. J. R. 1083, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO CONTINUE ITS STUDY OF STATE GOVERNMENT RISK MANAGEMENT, is referred to the Committee on Judiciary No. 1.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for House Committee Substitute for H. B. 118, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE USE OF THE SINGLE PORTAL OF ENTRY AND EXIT PRINCIPLE IN RENDERING MENTAL HEALTH SERVICES, is returned for concurrence in Senate committee substitute and is referred to the Committee on Mental Health.

H. B. 484, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE ELECTIONS STATUTES, is returned for concurrence in Senate amendment and is placed on the Calendar for May 17, 1983.

Committee Substitute for S. B. 259, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 20-7.1 RELATING TO CHANGE OF ADDRESS ON OPERATOR'S LICENSE, LEARNER'S PERMITS AND SPECIAL IDENTIFICATION CARDS, is read the first time and is referred to the Committee on Highway Safety.

Committee Substitute for S. B. 294, A BILL TO BE ENTITLED AN ACT TO TAX SHELTER FROM CURRENT INCOME THE CONTRIBUTIONS OF MEMBERS PAID TO THE UNIFORM JUDICIAL, SOLICITORIAL AND CLERKS OF SUPERIOR COURT RETIREMENT SYSTEMS BY CONFORMING STATE LAW TO THE REQUIREMENTS OF SECTION 414(h) OF THE UNITED STATES INTERNAL REVENUE CODE, is read the first time and is referred to the Committee on Pensions and Retirement.

S. B. 356, A BILL TO BE ENTITLED AN ACT TO REVISE THE LEASE FEES PERTAINING TO SHELLFISH LEASES, is read the first time and is referred to the Committee on Commercial Fishing.

Committee Substitute for S. B. 357, A BILL TO BE ENTITLED AN ACT TO REVISE THE LICENSE PROVISIONS PERTAINING TO MARINE FISHERIES AND TO REPEAL THE SEAFOOD TAX, is read the first time and is referred to the Committee on Commercial Fishing.

Committee Substitute for S. B. 402, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN REVISIONS AND ADDITIONS TO THE CREDIT UNION LAW, is read the first time and is referred to the Committee on Banks and Thrift Institutions.

S. B. 403, A BILL TO BE ENTITLED AN ACT TO REWRITE ARTICLE 15 OF CHAPTER 54 OF THE GENERAL STATUTES PERTAINING TO CORPORATE CREDIT UNIONS, is read the first time and is referred to the Committee on Banks and Thrift Institutions.

CALENDAR

Action is taken on the following:

Committee Substitute for H. B. 607, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM ROADS AND TO PROHIBIT DEER HUNTING ON THE LANDS OF ANOTHER WITHOUT THE CONSENT OF THE LANDOWNER IN WILSON COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H.B. 346, A BILL TO BE ENTITLED AN ACT TO SET LIMITS ON THE OPENING DATE FOR PUBLIC SCHOOLS.

On motion of Representative Hasty, consideration of the bill is postponed until May 17, 1983.

SPECIAL ORDER OF BUSINESS NO. 1

H. J. R. 934, A JOINT RESOLUTION HONORING THE MEMORY OF THE MEMBERS OF THE GENERAL ASSEMBLY OF 1783 AND OF GOVERNOR ALEXANDER MARTIN.

On motion of Representative Tennille, Committee Amendment No. 1 is adopted.

The resolution, as amended, passes its second reading, by electronic vote (96-0), and there being no objection is read a third time.

The resolution, as amended, passes its third reading.

On motion of Representative Tennille, the rules are suspended and the bill is ordered sent to the Senate without engrossment by Special Message.

Committee Substitute for H.B. 716, A BILL TO BE ENTITLED AN ACT TO ASSURE UNEMPLOYMENT INSURANCE TRUST FUND SOLVENCY AND COMPLIANCE WITH FEDERAL LAW.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Allran, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brown, Bumgardner, Chapin, Childress, Church, Clark, Coble, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Evans, Fenner, Fletcher, Foster, Fussell, Gillam, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holt, C. Hughes, Hunt, Hunter, Huskins, Jarrell, Jeralds, Jones, Jordan, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Musselwhite, Nash, Nesbitt, Owens, Pool, Poovey, Quinn, Rabon, Roberts, Seymour, Slaughter, Spaulding, Spoon, Stamey, Thomas, Tyndall, Tyson, Varner, Warren, Womble, B. Woodard, C. Woodard, and Wright — 90.

Voting in the negative: Representatives Brawley, Brubaker, Redding, and Robinson — 4.

Exused absences: Representatives Anderson, Brennan, Burnley, Bruce Ethridge, Gist, Holmes, Hudson, James, Keesee, and Ligon — 10.

S. B. 252, A BILL TO BE ENTITLED AN ACT TO AMEND THE COUNTY SPECIAL ASSESSMENTS LAW (G. S. CHAPTER 153A, ARTICLE 9) WITH RESPECT TO SMALL WATERSHEDS, DRAINAGE PROGRAMS, AND MAINTENANCE CHARGES, TO AUTHORIZE COUNTY SPENDING AND TAXES FOR DRAINAGE PROJECTS, AND TO MAKE RELATED CHANGES, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Allran, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brawley, Brown, Bumgardner, Chapin, Childress, Church, Clark, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Evans, Fenner, Fletcher, Foster, Fussell, Gillam, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holt, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, Jarrell, Jeralds, Jones, Jordan, Kennedy, Lacey, Lambeth, Lancaster, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Robinson, Seymour, Slaughter, Spaulding, Stamey, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 94.

Voting in the negative: None.

Excused absences: Representatives Anderson, Brennan, Burnley, Bruce Ethridge, Gist, Holmes, Hudson, James, Keesee, and Ligon — 10.

S. B. 410, A BILL TO BE ENTITLED AN ACT RELATING TO PUBLIC OBLIGATIONS IN REGISTERED FORM, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Allran, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brawley, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Clark, Coble, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Evans, Fenner, Fletcher, Foster, Fussell, Gillam, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Holt, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, Jarrell, Jeralds, Jones, Jordan, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 98.

Voting in the negative: None.

Excused absences: Representatives Anderson, Brennan, Burnley, Bruce Ethridge, Gist, Holmes, Hudson, James, Keesee, and Ligon — 10.

Committee Substitute for H. B. 916, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE GOVERNOR'S MANAGEMENT COUNCIL.

On motion of Representative Seymour, consideration of the bill is postponed until May 17, 1983.

H. B. 930, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PLACEMENT OF WARNING SIGNS NEAR LOCATIONS WHERE DRIVER'S LICENSE CHECKPOINTS ARE ESTABLISHED.

Representative Lancaster offers Amendment No. 3.

Representative Lancaster withdraws his amendment.

On motion of Representative Jordan, the bill is ordered engrossed and re-referred to the Committee on Highway Safety.

Committee Substitute for H. B. 583, A BILL TO BE ENTITLED AN ACT TO PROVIDE TIME TO STUDY THE NEED FOR NEW INTERMEDIATE CARE FACILITY BEDS FOR THE MENTALLY RETARDED, passes its second reading, by electronic vote (95-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 315, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN LAWS REGULATING SALES OF ALCOHOLIC BEVERAGES, passes its second reading, by electronic vote (99-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 298, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN CONVEYANCES WHERE SEALS WERE OMITTED, passes its second reading, by electronic vote (93-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 21, A BILL TO BE ENTITLED AN ACT TO REMOVE THE DEFENSES OF UNLAWFUL ARREST IN CASES OF RESISTING ARREST BY USE OF A DEADLY WEAPON OR DEADLY FORCE.

On motion of Representative Hackney, consideration of the bill is postponed until May 17, 1983.

Committee Substitute for H. B. 994, A BILL TO BE ENTITLED AN ACT TO PERMIT THE USE OF HANDGUNS IN TAKING BIG GAME MAMMALS.

On motion of Representative Beam, consideration of the bill is postponed until May 17, 1983.

H. B. 688, A BILL TO BE ENTITLED AN ACT TO AMEND THE LICENSING OF DOMICILIARY HOMES FOR THE AGED OR DISABLED AND THE DOMICILIARY BILL OF RIGHTS.

On motion of Representative Thomas, Committee Amendment No. 1 is adopted.

On motion of Representative Quinn, Committee Amendment No. 2 fails of adoption.

Representative Thomas offers Amendment No. 3 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (99-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 767, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 90-108 TO PROHIBIT EMBEZZLEMENT OF CONTROLLED SUBSTANCES BY EMPLOYEES OF PRACTITIONERS AND REGISTRANTS, AND TO PROHIBIT "DOCTOR SHOPPING" AS A MEANS OF FRAUDULENTLY OBTAINING CONTROLLED SUBSTANCES FROM PRACTITIONERS.

On motion of Representative Ballance, the bill is re-referred to the Committee on Judiciary No. 3.

H. B. 1034, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROCEDURES USED UNDER THE FAIR SENTENCING ACT WHEN SEVERAL CRIMES ARE CONSOLIDATED FOR JUDGMENT.

On motion of Representative Lancaster, the bill is re-referred to the Committee on Judiciary No. 3.

H. B. 722, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE INDEPENDENCE OF THE INDUSTRIAL COMMISSION FROM THE SECRETARY OF COMMERCE IN THE APPOINTMENT OF DEPUTY COMMISSIONERS AND IN THE EXERCISE OF ITS QUASIJUDICIAL FUNCTIONS, passes its second reading by electronic vote (97-1).

On motion of Representative Watkins, the third reading of the bill is postponed until May 17, 1983.

House Committee Substitute for S. B. 50, A BILL TO BE ENTITLED AN ACT TO AMEND THE POWERS OF THE COMMISSIONER OF INSURANCE TO REGULATE HEALTH MAINTENANCE ORGANIZATIONS, passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 223, AN ACT AUTHORIZING THE COASTAL RESOURCES COMMISSION TO SET A FEE OF UP TO ONE HUNDRED DOLLARS FOR A CAMA MAJOR DEVELOPMENT PERMIT.

H. B. 852, AN ACT TO MAKE THE SAME SCHOOL CONSOLIDATION AND DISCONTINUANCE OF SCHOOLS PROCEDURES APPLICABLE TO ALL PUBLIC SCHOOLS.

H. B. 414, AN ACT TO ALLOW THE COURT TO ENJOIN THE DISPOSAL OF MARITAL PROPERTY PENDING INSTITUTION OF AN EQUITABLE DISTRIBUTION ACTION.

S. B. 447, AN ACT TO PROVIDE THAT THE GENERAL LAW AS TO VOTER ASSISTANCE APPLIES IN CHEROKEE COUNTY.

H. B. 468, AN ACT TO REVISE THE PROCEDURES FOR NOMINATION OF CANDIDATES TO THE STATE BOARD OF COMMUNITY COLLEGES.

S. B. 58, AN ACT TO AMEND G. S. 20-286(11) RELATING TO THE DEFINITION OF MOTOR VEHICLE DEALER.

S. B. 240, AN ACT TO AMEND THE RIGHT TO A NATURAL DEATH ACT.

S. B. 299, AN ACT TO REMOVE RETIREMENT AGE RESTRICTIONS IN THE UNORGANIZED MILITIA AND THE NORTH CAROLINA STATE DEFENSE MILITIA.

S. B. 300, AN ACT TO REVISE THE PROCEDURES FOR NONJUDICIAL PUNISHMENT AND SUMMARY COURTS-MARTIAL IN THE NORTH CAROLINA NATIONAL GUARD.

S. B. 301, AN ACT TO ADOPT THE USE OF THE CURRENT MANUAL FOR COURTS-MARTIAL.

S. B. 306, AN ACT TO PERMIT CONSULAR OR DIPLOMATIC PLATES TO BE ISSUED TO ACCREDITED PERSONS WITHOUT REGARD TO THEIR COUNTRY OF NATIONALITY.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
May 16, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the Senate adopts the report of the conferees on House Committee Substitute for Senate Committee Substitute for S. B. 117, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MEMBERSHIP OF THE STATE BANKING COMMISSION AND TO SUBJECT THE APPOINTMENT OF THE COMMISSIONER OF BANKS TO CONFIRMATION BY THE GENERAL ASSEMBLY, to the end that when a similar action has been taken on the part of the House, we will order the bill enrolled.

Respectfully,
S/ SYLVIA M. FINK
Principal Clerk

On motion of Representative Hunt, seconded by Representative Pulley, the House adjourns to reconvene May 17, 1983 at 1:30 p.m.

NINETIETH DAY

HOUSE OF REPRESENTATIVES
Tuesday, May 17, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Beard.

Representative Hunt, for the Committe on Rules and Operation of the House, reports the Journal of May 16 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Blue, Bruce Ethridge, Fenner, Holmes, James, and Ligon for today.

The Speaker recognizes Mr. Billy Arthur, former Reading Clerk of the House of Representatives.

The Speaker recognizes Representative Barbee, who is granted permission to approach the Well of the House. Representative Barbee introduces the Honorable Robert W. Scott, former Governor of North Carolina and the State President, Department of Community Colleges.

Mr. Scott, in recognition of the Twentieth Anniversary of the Community College System, as of this date, thanks the Legislature for its continued support.

Mr. Carl Horn, Jr., Chairman, State Board of Community Colleges, is recognized and approaches the Well of the House. He reads the following Resolution of the North Carolina Community College System and presents to the House of Representatives a plaque commemorating the Twentieth Anniversary.

NORTH CAROLINA COMMUNITY COLLEGE SYSTEM
May 17, 1983

WHEREAS, the members of the 1963 North Carolina House of Representatives who, with the North Carolina Senate, recognized the need for a comprehensive system of technical and vocational education for the people of North Carolina and on May 17, 1963 enacted into law General Statute 115A, creating the North Carolina Community College System; and

WHEREAS, Through the vision and leadership of this legislative body for the past twenty years, the North Carolina Community College System has gained national recognition for the quality education and skills training it provides our citizens; and

WHEREAS, This subscription and support have resulted in the advancement and promotion of this state's individual and collective economic development;

THEREFORE, The North Carolina Community College System recognizes and acknowledges both present and former members of the General Assembly of North Carolina, in grateful appreciation on behalf of the citizens of this state and on the occasion of the 20th Anniversary of the North Carolina Community College System.

By the Chairman, State Board
of Community Colleges
S/ Carl Horn, Jr.

By the State President,
Department of Community
Colleges
S/ Robert W. Scott

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Quinn for the Committee on Finance:

H. B. 942, A BILL TO BE ENTITLED AN ACT RELATING TO MUNCIPALITIES AND PROCEDURES FOR THE OPERATION AND FINANCING OF JOINT MUNICIPAL POWER AGENCIES, with a favorable report.

H. B. 1040, A BILL TO BE ENTITLED AN ACT TO INCREASE EXAMINATION AND LICENSE FEES FOR INSURANCE AGENTS, ADJUSTERS, APPRAISERS, BROKERS, AND COMPANIES; BAIL BONDSMEN AND RUNNERS; COLLECTION AGENCIES; AND MOTOR CLUBS; AND TO APPROPRIATE FUNDS FOR ELECTRONIC DATA PROCESSING FOR THE DEPARTMENT OF INSURANCE, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

S. B. 420, A BILL TO BE ENTITLED AN ACT TO REQUIRE NUMBERING OF ALL VESSELS, with a favorable report, as amended.

By Representative Foster for the Committee on Education:

S. B. 374, A BILL TO BE ENTITLED AN ACT FOR A PROGRAM FOR BASIC AND VOCATIONAL SKILLS AT GRADES SEVEN AND EIGHT, with a favorable report.

By Representative Church for the Committee on State Government:

H. B. 1037, A BILL TO BE ENTITLED AN ACT MAKING THE COMMISSIONER OF INSURANCE AN EX OFFICIO MEMBER OF THE PUBLIC OFFICERS AND EMPLOYEES LIABILITY INSURANCE COMMISSSION, with a favorable report.

By Representative Rabon for the Committee on Manufacturers and Labor:

S. B. 408, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING PLUMBING AND HEATING CONTRACTORS TO REDEFINE "HEATING, GROUP NUMBER THREE" AND "CONTRACTOR", with an unfavorable report as to bill, favorable as to House committee substitute bill.

The House committee substitute bill is placed on the Calendar for May 19, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Pulley for the Committee on Judiciary No. 4:

H. B. 842, A BILL TO BE ENTITLED AN ACT TO ELIMINATE JUROR INCONVENIENCE BY ALLOWING ARRAIGNMENT TO OCCUR WHEN THE PROSPECTIVE JURORS ARE IN THE COURTROOM, with an indefinite postponement report.

By Representative Lancaster for the Committee on Judiciary No. 3:

H. B. 511, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A VICTIMS' AND WITNESSES' BILL OF RIGHTS, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Appropriations.

On motion of Representative Lancaster, Committee Amendment No. 1 is adopted.

The bill is ordered engrossed and re-referred to the Committee on Appropriations.

H. B. 1061, A BILL TO BE ENTITLED AN ACT TO ENSURE DUE PROCESS FOR PERSONS WHOSE CARS ARE TOWED PURSUANT TO A LAW ENFORCEMENT OFFICER'S ORDER, with a favorable report.

By Representative Thomas for the Committee on Higher Education:

H. B. 1044, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL ADMINISTRATIVE BOARDS OF COMMUNITY COLLEGES TO ESTABLISH COOPERATIVE PROGRAMS WITH HIGH SCHOOLS, with a favorable report, as amended.

By Representative Miller for the Committee on Judiciary No. 1:

H. B. 548, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTY FOR NONSUPPORT AS RECOMMENDED BY THE JUVENILE LAW STUDY COMMISSION, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for May 19, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative B. Woodard for the Committee on Health:

H. B. 318, A BILL TO BE ENTITLED AN ACT TO REWRITE THE PUBLIC HEALTH LAWS, with an unfavorable report as to bill, favorable as to committee substitute bill, as amended, and recommendation that the bill be re-referred to the Committee on Finance.

On motion of Representative B. Woodard, Committee Amendment No. 1 is adopted.

The substitute bill is ordered engrossed and re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Wicker for the Committee on Law Enforcement:

H. B. 966, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF MOTOR VEHICLES TO REFLECTORIZE VEHICLE LICENSE PLATES, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

SUSPENSION OF RULES TO INTRODUCE LOCAL BILL

On motion of Representative Tyndall, Rule 31.1 is suspended by a two-thirds majority vote in order for two local bills to be filed.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Bumgardner, Beam, Mauney, and Roberts:

H. B. 1084, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS TO THE GASTON COUNTY MUSEUM OF ART AND HISTORY IN DALLAS, is referred to the Committee on Cultural Resources.

By Representative Warren, Barker, Brennan, Creecy, Easterling, Economos, Enloe, Foster, Gillam, Greenwood, Huskins, James, Jones, Lancaster, Lilley, Matthews, Rabon, Womble, and C. Woodard:

H. B. 1085, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR EXPANSION OF RESEARCH AT THE OXFORD TOBACCO RESEARCH STATION, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S. B. 255, A BILL TO BE ENTITLED AN ACT RAISING CERTAIN FEES AND TAXES COLLECTED BY THE SECRETARY OF STATE, is read the first time and is referred to the Committee on Finance.

S. B. 289, A BILL TO BE ENTITLED AN ACT DESIGNATING THE OFFICE OF STATE PERSONNEL AND THE STATE PERSONNEL COMMISSION AS THE DEFERRAL AGENCY FOR EEOC COMPLAINTS, is read the first time and is referred to the Committee on State Personnel.

S. B. 469, A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE FORGERY LAW TO MAKE CLEAR THAT IT APPLIES TO CHECKS OF SAVINGS AND LOANS, CREDIT UNIONS, AND FEDERAL, STATE, AND LOCAL GOVERNMENTS, is read the first time and is referred to the Committee on Judiciary No. 4.

Committee Substitute for S. B. 229, A BILL TO BE ENTITLED AN ACT REQUIRING A COST STATEMENT TO APPEAR ON STATE PUBLICATIONS, is read the first time and is referred to the Committee on State Government.

S. B. 337, A BILL TO BE ENTITLED AN ACT TO PROVIDE THE SAME PUNISHMENT FOR THE SALE OF A CONTROLLED SUBSTANCE TO A MINOR AS IS CURRENTLY PROVIDED FOR THE DELIVERY OF A CONTROLLED SUBSTANCE TO A MINOR, is read the first time and is referred to the Committee on Judiciary No. 4.

Committee Substitute for S. B. 345, A BILL TO BE ENTITLED AN ACT TO PLACE A ONE-YEAR FREEZE ON THE GRANTING OF CERTIFICATES OF NEED FOR ALCOHOL TREATMENT BEDS, DRUG TREATMENT BEDS, OR BOTH, is read the first time and is referred to the Committee on Mental Health.

CALENDAR

Action is taken on the following:

H. B. 484, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE ELECTIONS STATUTES.

On motion of Representative Gentry, the House concurs in the Senate amendment and the bill is ordered enrolled.

Committee Substitute for H. B. 346, A BILL TO BE ENTITLED AN ACT TO SET LIMITS ON THE OPENING DATE FOR PUBLIC SCHOOLS.

On motion of Representative Payne, the bill is re-referred to the Committee on Local Government No. 2.

House Committee Substitute for S. B. 168, A BILL TO BE ENTITLED AN ACT TO DEDICATE FUNDS FOR THE HENDERSON COUNTY COURTHOUSE.

Representative C. Hughes offers Amendment No. 1.

On motion of Representative Nesbitt, seconded by Representative Wicker, Amendment No. 1 is tabled by electronic vote (88-18).

Representative Nesbitt calls the previous question, on the passage of the bill and the call is sustained by electronic vote (95-14).

The bill passes its second reading, by electronic vote (94-15), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Committee Substitute for H. B. 916, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE GOVERNOR'S MANAGEMENT COUNCIL.

Representative Watkins offers Amendment No. 1 which is adopted by electronic vote (100-1).

The bill, as amended, passes its third reading, by electronic vote (108-0), and is ordered engrossed and sent to the Senate.

H. B. 722, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE INDEPENDENCE OF THE INDUSTRIAL COMMISSION FROM THE SECRETARY OF COMMERCE IN THE APPOINTMENT OF DEPUTY COMMISSIONERS AND IN THE EXERCISE OF ITS QUASIJUDICIAL FUNCTIONS.

Representative Bumgardner offers Amendment No. 1 which is adopted by electronic vote (100-0).

The bill, as amended, passes its third reading, by electronic vote (103-0), and is ordered engrossed and sent to the Senate.

Committee Substitute for H. B. 759, A BILL TO BE ENTITLED AN ACT TO SPECIFY A SUMMONS FOR TERMINATION OF PARENTAL RIGHTS CASES, TO PROVIDE FOR AN ANSWER IN SUCH CASES, AND TO SPECIFY WHO IS TO RECEIVE COPIES OF TERMINATION OF PARENTAL RIGHTS ORDERS.

On motion of Representative Cook, consideration of the bill is postponed until May 18, 1983.

Committee Substitute for H. B. 933, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALTERATION OF A MARRIAGE LICENSE WHEN A PARTY TO THE MARRIAGE LAWFULLY CHANGES HIS OR HER NAME.

On motion of Representative Cook, consideration of the bill is postponed until May 18, 1983.

H. B. 701, A BILL TO BE ENTITLED AN ACT TO MAKE ADMISSIBLE DECLARATIONS MADE UNDER THE BELIEF OF IMPENDING DEATH EVEN THOUGH THE DECLARANT DOES NOT DIE BUT BECOMES PHYSICALLY OR MENTALLY UNAVAILABLE.

On motion of Representative Wright, the bill is re-referred to the Committee on Judiciary No. 4.

Committee Substitute for H. B. 384, A BILL TO BE ENTITLED AN ACT TO MAKE PERMANENT THE 120-SPEEDY TRIAL LAW REQUIREMENT AND TO MAKE OTHER CHANGES.

Representative Helms offers Amendment No. 1 which is adopted. This amendment changes the title.

The bill, as amended, passes its second reading, by electronic vote (102-1), and remains on the Calendar.

Committee Substitute for H. B. 978, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 24-10 CONCERNING FEES ON SECOND MORTGAGES, passes its second reading, by electronic vote (104-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H.B. 21, A BILL TO BE ENTITLED AN ACT TO RE-

MOVE THE DEFENSES OF UNLAWFUL ARREST IN CASES OF RESISTING ARREST BY USE OF A DEADLY WEAPON OR DEADLY FORCE.

Representative Hackney offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (79-14), and there being no objection is read a third time.

The bill, as amended, passes its third reading, by electronic vote (75-28), and is ordered engrossed and sent to the Senate.

H. B. 994, A BILL TO BE ENTITLED AN ACT TO PERMIT THE USE OF HANDGUNS IN TAKING BIG GAME MAMMALS.

On motion of Representative Black, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (98-7), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Representative Evans sends forth the following Conference Report and moves its adoption:

CONFERENCE REPORT

May 17, 1983

TO: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on House Committee Substitute adopted April 11, 1983, to S. B. 117, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MEMBERSHIP OF THE STATE BANKING COMMISSION AND TO SUBJECT THE APPOINTMENT OF THE COMMISSIONER OF BANKS TO CONFIRMATION BY THE GENERAL ASSEMBLY, wish to report as follows: that the bill be amended on page 1 line 10 by deleting the number "13" and inserting in lieu thereof the number "12"; and

on page 1 line 15 by deleting the language following the period on that line through and including the period on page 2 line 2 and by inserting in lieu thereof the following:

"The Governor shall appoint five practical bankers and seven persons selected primarily as representatives of the borrowing public. The person appointed by the General Assembly upon the recommendation of the President of the Senate shall be a practical banker. The person appointed by the General Assembly upon the recommendation of the Speaker of the House shall be a person selected primarily as a representative of the borrowing public."; and

on page 3 line 26 by deleting the date "May 1, 1983" and by inserting in lieu thereof the date "June 1, 1983".

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 17th day of May, 1983.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ JAMES EDWARDS	S/ CHARLES D. EVANS
S/ CONRAD DUNCAN	S/ PAUL PULLEY
S/ HAROLD HARDISON	S/ RUTH COOK

The Conference Report is adopted, by electronic vote (100-2), and the Senate is so notified by Special Message.

CALENDAR (continued)

Committee Substitute for H. B. 779, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CERTIFICATE OF NEED LAW FOR LIFE CARE CENTERS.

Representative Brennan offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (101-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 975, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ALL CERTIFICATES OF NEED FOR ICF AND SNF BED CAPACITY ISSUED BEFORE JULY 1, 1983, ARE WITHDRAWN AS TO BED CAPACITY NOT CONSTRUCTED OR IN OPERATION ON OR BEFORE JULY 1, 1985.

On motion of Representative C. Woodard, Committee Amendment No. 1 is adopted.

Representative Economos offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second reading by electronic vote (90-3).

Representative Huskins objects to the third reading. The bill remains on the Calendar.

Committee Substitute for H. B. 451, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE PUBLICATION OF SUMMARIES OF PROPOSED CONSTITUTIONAL AMENDMENTS, passes its second reading by electronic vote (100-0).

Representative Watkins objects to the third reading. The bill remains on the Calendar.

Committee Substitute for H. B. 752, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSUMER PROTECTION LAW TO MAKE IT EASIER FOR CONSUMERS TO ENFORCE THE RIGHTS GRANTED TO THEM UNDER THE LAW, passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 559, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF LANDFILLING FOR CERTAIN CLASSES OF HAZARDOUS WASTES AND OTHER SOLID WASTES.

On motion of Representative Clark, the bill is re-referred to the Committee on Appropriations.

H. B. 946, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 14-288.8 CONCERNING WEAPONS OF MASS DESTRUCTION, passes its second reading, by electronic vote (98-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for S. B. 97, A BILL TO BE ENTITLED AN ACT TO CLARIFY CERTAIN TIME PERIODS RELATING TO FORECLOSURES.

The bill, as amended, passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

S. B. 497, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSIONERS OF THE TOWN OF LOUISBURG TO CONVEY CERTAIN PROPERTY TO LOUISBURG COLLEGE, INC., A NORTH CAROLINA CORPORATION, is read the first time and is referred to the Committee on Local Government No. 1.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 239, AN ACT TO EXTEND THE EXPIRATION FOR THE PAYMENT OF JUST COMPENSATION BY LOCAL AUTHORITIES REQUIRING THE REMOVAL OF BILLBOARDS WHICH ARE PERMITTED UNDER THE PROVISIONS OF ARTICLE 11 OF CHAPTER 136 OF THE GENERAL STATUTES.

H. B. 764, AN ACT TO AMEND THE LIMITATIONS ON STATE FINANCIAL AID TO AVIATION.

S. B. 67, AN ACT TO MAKE THE CHARITABLE SOLICITATION LICENSURE ACT INAPPLICABLE TO CERTAIN FOUNDATIONS AND TRUSTS.

S. B. 252, AN ACT TO AMEND THE COUNTY SPECIAL ASSESSMENTS LAW (G. S. CHAPTER 153A, ARTICLE 9) WITH RESPECT TO SMALL WATERSHEDS, DRAINAGE PROGRAMS, AND MAINTENANCE CHARGES, TO AUTHORIZE COUNTY SPENDING AND TAXES FOR DRAINAGE PROJECTS, AND TO MAKE RELATED CHANGES.

S. B. 410, AN ACT RELATING TO PUBLIC OBLIGATIONS IN REGISTERED FORM.

H. J. R. 934, A JOINT RESOLUTION HONORING THE MEMORY OF THE MEMBERS OF THE GENERAL ASSEMBLY OF 1783 AND OF GOVERNOR ALEXANDER MARTIN.

On motion of Representative Hunt, seconded by Representative Edwards, the House adjourns to reconvene May 18, 1983 at 1:30 p.m.

NINETY-FIRST DAY

HOUSE OF REPRESENTATIVES
Wednesday, May 18, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Grimsley.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of May 17 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Black, Church, Jeralds, Ligon, and Murphy for today.

The Speaker recognizes Representative Watkins and he reports on the progress and success of the State's self-insured hospitalization and health program for state employees adopted and funded by the 1981-82 General Assembly.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Fussell for the Committee on Highway Safety:

H. B. 445, A BILL TO BE ENTITLED AN ACT TO REQUIRE LIGHTED HEADLAMPS ON MOTOR VEHICLES WHEN THE WINDSHIELD WIPERS ARE ON, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for May 20, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Colton for the Committee on Cultural Resources:

H. B. 914, A BILL TO BE ENTITLED AN ACT TO ENABLE CITIES, TOWNS, AND COUNTIES TO PROVIDE FOR NEIGHBORHOOD, COMMUNITY AND RURAL PRESERVATION, with a favorable report.

By Representative Lilley for the Committee on Local Government No. 1:

Committee Substitute for H. B. 301, A BILL TO BE ENTITLED AN ACT TO MERGE THE CUMBERLAND COUNTY SCHOOL ADMINISTRATIVE UNIT AND THE FAYETTEVILLE CITY SCHOOL ADMINISTRATIVE UNIT, with an unfavorable report.

H. B. 1001, A BILLTO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF ELLENBORO AND TO REPEAL PRIOR LOCAL ACTS, with a favorable report.

S. B. 369, A BILL TO BE ENTITLED AN ACT TO PERMIT THE NASH COUNTY BOARD OF COMMISSIONERS TO APPROPRIATE ADDITIONAL FUNDS FOR INDUSTRIAL DEVELOPMENT, with a favorable report.

S. B. 388, A BILL TO BE ENTITLED AN ACT AMENDING G. S. 160A-456 TO CLARIFY THE AUTHORITY OF THE CITY OF DURHAM TO MAKE GRANTS AND LOANS FOR THE ECONOMIC DEVELOPMENT OF BUSINESSES SERVING THE NEEDS OF PERSONS OF LOW AND MODERATE INCOME, with an unfavorable report.

S. B. 405, A BILL TO BE ENTITLED AN ACT TO PERMIT PERSONS TO ENGAGE IN BUSINESS AS A PAWNBROKER IN UNINCORPORATED AREAS OF PITT COUNTY, with a favorable report, as amended.

S. B. 431, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT CONDOMINIUMS IN THE TOWN OF ATLANTIC BEACH SHALL BE CONSIDERED

TO BE TRACTS OF FIVE ACRES OR LESS FOR THE PURPOSE OF THE ANNEXATION LAW, with a favorable report.

S. B. 497, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSIONERS OF THE TOWN OF LOUISBURG TO CONVEY CERTAIN PROPERTY TO LOUISBURG COLLEGE, INC., A NORTH CAROLINA CORPORATION, with a favorable report.

By Representative Lutz for the Committee on Local Government No. 2:

H.B. 648, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TRANSYLVANIA COUNTY BOARD OF EDUCATION TO TRANSFER CERTAIN PROPERTY TO NONPROFIT CIVIC IMPROVEMENT ORGANIZATIONS, with a favorable report.

H. B. 699, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF SALEM IN BURKE COUNTY, with an indefinite postponement report.

H. B. 731, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TYRRELL COUNTY BOARD OF EDUCATION TO ENTER INTO CERTAIN CONTRACTS WITHOUT COMPLYING WITH THE PROVISIONS OF CHAPTER 133 AND OF ARTICLE 8 OF CHAPTER 143 OF THE GENERAL STATUTES, with a favorable report.

H. B. 782, A BILL TO BE ENTITLED AN ACT REQUIRING PROPERTY OWNERS OF ADJOINING PROPERTY IN CERTAIN COUNTIES TO MAINTAIN FENCES ON PROPERTY LINES, with a favorable report.

H. B. 825, A BILL TO BE ENTITLED AN ACT TO ADD DUPLIN COUNTY TO THE LIST OF COUNTIES THAT MAY USE ATTACHMENT AND GARNISHMENT TO COLLECT FEES FOR AMBULANCE SERVICES, with a favorable report.

H. B. 827, A BILL TO BE ENTITLED AN ACT TO RAISE THE COMPENSATION OF THE MOORE COUNTY BOARD OF EDUCATION, with an indefinite postponement report.

S. B. 303, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF SALEM IN BURKE COUNTY, with an unfavorable report.

S. B. 352, A BILL TO BE ENTITLED AN ACT TO CHANGE THE BOUNDARY BETWEEN THE FAIRMONT CITY AND ROBESON COUNTY ADMINISTRATIVE SCHOOL UNITS, with a favorable report.

S. B. 365, A BILL TO BE ENTITLED AN ACT TO RAISE THE COMPENSATION OF THE MOORE COUNTY BOARD OF EDUCATION, with a favorable report.

By Representative Seymour for the Committee on Public Utilities:

H. B. 989, A BILL TO BE ENTITLED AN ACT TO MAKE UNLAWFUL THE UNAUTHORIZED RECONNECTION OF A LAWFULLY DISCONNECTED UTILITY, with a favorable report, as amended.

INTRODUCTIONS OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Beam:

H. B. 1086, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE BOARD OF HUMAN RESOURCES, is referred to the Committee on Rules and Operation of the House.

By Representative Tyndall:

H. B. 1087, A BILL TO BE ENTITLED AN ACT TO EMPOWER ONSLOW MEMORIAL HOSPITAL TO USE ATTACHMENT AND GARNISHMENT PROCEDURES FOR COLLECTING UNPAID BILLS, is referred to the Committee on Local Government No. 1.

By Representative Tyndall:

H. B. 1088, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ONSLOW COUNTY TO LEVY ADDITIONAL ONE PERCENT SALES AND USE TAXES, is referred to the Committee on Finance.

By Representatives Colton, N. J. Crawford, Greenwood, and Nesbitt:

H. B. 1089, A BILL TO BE ENTITLED AN ACT TO ALLOW COMMUNITY THEATRES TO QUALIFY FOR CERTAIN ABC PERMITS, is referred to the Committee on Alcoholic Beverage Control.

By Representatives Hightower, Adams, Anderson, Auman, Ballance, Barnes, Beall, Berry, Bowen, Brown, Church, J. W. Crawford, Creecy, Diamont, Enloe, Bruce Ethridge, Fletcher, Foster, Gentry, Gillam, Greenwood, Hackney, Hayden, J. Hughes, Hunter, Huskins, Jeralds, Jones, Lacey, Lutz, McAlister, Matthews, Mavretic, Nash, Nesbitt, Owens, Poovey, Slaughter, and Watkins:

H. B. 1090, A BILL TO BE ENTITLED AN ACT TO LIMIT THE OPERATION OF TRUCKS WITH TWO TRAILERS TO CERTAIN ROADS IN NORTH CAROLINA, is referred to the Committee on Transportation.

CALENDAR

Action is taken on the following:

H. B. 942, A BILL TO BE ENTITLED AN ACT RELATING TO MUNICIPALITIES AND PROCEDURES FOR THE OPERATION AND FINANCING OF JOINT MUNICIPAL POWER AGENCIES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Bowen Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Coble, Cochrane, Colton, J. W. Crawford, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Evans, Fletcher, Foster, Fulcher, Fussell, Gentry, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Huskins, James, Jarrell, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, Matthews, Mauney, Mavretic, Miller, Nash, Nesbitt, Owens, Pool, Poovey, Quinn, Rabon, Redding, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Stamey, Thomas, Tyndall, Tyson, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 95.

Voting in the negative: None.

Excused absences: Representatives Black, Blue, Church, Gillam, Jeralds, Ligon, and Murphy — 7.

S. B. 420, A BILL TO BE ENTITLED AN ACT TO REQUIRE NUMBERING OF ALL VESSELS.

On motion of Representative Mavretic, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Auman, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Coble, Cochrane, Colton, Cook, J. W. Crawford, Creecy, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fletcher, Foster, Fulcher, Fussell, Gentry, Gist, Greenwood, Grimsley, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, Hunt, Huskins, James, Jarrell, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Lutz, McAlister, Matthews, Mauney, Mavretic, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Quinn, Rabon, Roberts, Robinson, Seymour, Slaughter, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Warren, Watkins, Womble, B. Woodard, C. Woodard, and Wright — 91.

Voting in the negative: Representatives Anderson, Ballance, Hackeny, J. Hughes, Miller, Redding, and Spaulding — 7.

Excused absences: Representatives Black, Blue, Church, Gillam, Jeralds, Ligon, and Murphy — 7.

Committee Substitute for H. B. 384, A BILL TO BE ENTITLED AN ACT TO MAKE PERMANENT THE 120-DAY SPEEDY TRIAL LAW REQUIREMENT AND TO MAKE OTHER CHANGES.

Representative Wright offers Amendment No. 2.

On motion of Representative Helms, consideration of Amendment No. 2 and the bill is postponed until May 19, 1983.

H. B. 975, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ALL CERTIFICATES OF NEED FOR ICF AND SNF BED CAPACITY ISSUED BEFORE JULY 1, 1983, ARE WITHDRAWN AS TO BED CAPACITY NOT CONSTRUCTED OR IN OPERATION ON OR BEFORE JULY 1, 1985.

Representative Huskins offers Amendment No. 3 which is adopted by electronic vote (100-0).

The bill, as amended, passes its third reading, by electronic vote (99-0), and is ordered engrossed and sent to the Senate.

Committee Substitute for H. B. 451, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE PUBLICATION OF SUMMARIES OF PROPOSED CONSTITUTIONAL AMENDMENTS.

On motion of Representative Holt, the bill is re-referred to the Committee on Appropriations.

Committee Substitute for H. B. 759, A BILL TO BE ENTITLED AN ACT TO SPECIFY A SUMMONS FOR TERMINATION OF PARENTAL RIGHTS CASES, TO PROVIDE FOR AN ANSWER IN SUCH CASES, AND TO SPECIFY WHO IS TO RECEIVE COPIES OF TERMINATION OF PARENTAL RIGHTS ORDERS.

On motion of Representative Blue, consideration of the bill is postponed until May 20, 1983.

Committee Substitute for H. B. 933, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALTERATION OF A MARRIAGE LICENSE WHEN A PARTY TO THE MARRIAGE LAWFULLY CHANGES HIS OR HER NAME.

Representative James moves that the bill be re-referred to the Committee on Rules and Operation of the House and this motion fails of adoption by electronic vote (25-80).

The bill passes its second reading by electronic vote (82-24).

Representative Nesbitt objects to the third reading. The bill remains on the Calendar.

H. B. 1037, A BILL TO BE ENTITLED AN ACT MAKING THE COMMISSIONER OF INSURANCE AN EX OFFICIO MEMBER OF THE PUBLIC OFFICERS AND EMPLOYEES LIABILITY INSURANCE COMMISSION, passes its second reading, by electronic vote (97-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 1061, A BILL TO BE ENTITLED AN ACT TO ENSURE DUE PROCESS FOR PERSONS WHOSE CARS ARE TOWED PURSUANT TO A LAW ENFORCEMENT OFFICER'S ORDER, passes its second reading by electronic vote (91-10).

Representative Locks objects to the third reading. The bill remains on the Calendar.

H. B. 1044, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL ADMINISTRATIVE BOARDS OF COMMUNITY COLLEGES TO ESTABLISH COOPERATIVE PROGRAMS WITH HIGH SCHOOLS.

On motion of Representative Huskins, Committe Amendments Nos. 1 and 2 are adopted.

On motion of Representative Huskins, consideration of the bill is postponed until May 24, 1983.

S. B. 374, A BILL TO BE ENTITLED AN ACT FOR A PROGRAM FOR BASIC AND VOCATIONAL SKILLS AT GRADES SEVEN AND EIGHT.

Representative Watkins offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (99-3), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 444, AN ACT TO PROVIDE FOR SPECIAL LICENSES FOR STREET RODS.

H. B. 484, AN ACT TO MAKE TECHNICAL CORRECTIONS TO THE ELECTIONS STATUTES.

H. B. 815, AN ACT TO PERMIT THE APPOINTMENT OF TWO AT-LARGE MEMBERS OF THE AERONAUTICS COUNCIL.

H. B. 477, AN ACT TO INCREASE THE FINE FOR ILLEGALLY PARKING IN A PROPERLY DESIGNATED HANDICAPPED PARKING SPACE.

S. B. 194, AN ACT TO REWRITE CERTAIN OF THE FOREST LAWS OF NORTH CAROLINA.

On motion of Representative Hunt, seconded by Representative Foster, the House adjourns to reconvene May 19, 1983 at 1:30 p.m.

NINETY-SECOND DAY

HOUSE OF REPRESENTATIVES
Thursday, May 19, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Foster.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of May 18 has been examined and found correct. Upon his motion, the Journal is approved as written.

The Speaker recognizes Representative Wright for remarks regarding the North Carolina House–South Carolina House basketball game. These remarks may be found in the appendix.

Leaves of absence are granted Representatives Ligon and Seymour for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Quinn for the Committee on Finance:

Committee Substitute for H. B. 137, A BILL TO BE ENTITLED AN ACT TO ALLOW PUBLIC AND NONPROFIT HUMAN SERVICES PROGRAMS TO PURCHASE PERMANENT LICENSE TAGS FOR AGENCY VEHICLES, AND TO INCREASE THE FEE FOR PERMANENT REGISTRATION PLATES ISSUED TO THE STATE AND CERTAIN NONPROFIT ORGANIZATIONS, with a favorable report, as amended.

Committee Substitute No. 1 for H.B. 494, A BILL TO BE ENTITLED AN ACT TO RAISE COSTS AND FEES IN THE GENERAL COURTS OF JUSTICE, with an unfavorable report as to Committee Substitute Bill No. 1, favorable as to Committee Substitute Bill No. 2.

Committee Substitute Bill No. 2 is placed on the Calendar for May 23, 1983. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H. B. 1049, A BILL TO BE ENTITLED AN ACT TO ALLOW CITIES AND COUNTIES TO LEVY PROPERTY TAXES FOR INDUSTRIAL DEVELOPMENT AND ECONOMIC DEVELOPMENT, with a favorable report.

By Representative Colton for the Committee on Cultural Resources:

H. B. 750, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS TO WESTERN NORTH CAROLINA PUBLIC RADIO, INC., FOR WUNF-FM, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Appropriations.

On motion of Representative Colton, Committee Amendment No. 1 is adopted.

The bill is ordered engrossed and re-referred to the Committee on Appropriations.

H. B. 897, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A FIRE ESCAPE AT SILVERMONT IN BREVARD, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title, and recommendation that the committee substitute bill be re-referred to the Committee on Appropriations.

The substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

H. B. 672, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE 1983 SOUTHERN FLUE-CURED TOBACCO FESTIVAL, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Appropriations.

On motion of Representative Colton, Committee Amendment No. 1 is adopted.

The bill is ordered engrossed and re-referred to the Committee on Appropriations.

By Representative McDowell for the Committee on Corrections:

H. B. 831, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PRESUMPTION IN FAVOR OF COMMUNITY PENALTIES FOR CERTAIN FELONS, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for May 23, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Hackney for the Committee on Energy:

H. B. 892, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 143B-450.1 TO PROVIDE FOR PROVISIONAL DATA-GATHERING AUTHORITY IN THE ENERGY DIVISION OF THE DEPARTMENT OF COMMERCE, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for May 23, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Gentry for the Committee on Election Laws:

H. B. 906, A BILL TO BE ENTITLED AN ACT TO SET AN EARLIER FILING DEADLINE FOR CITIES THAT USE THE NONPARTISAN PLURALITY METHOD OF ELECTION, with a favorable report.

H. B. 1026, A BILL TO BE ENTITLED AN ACT RELATING TO THE FORMATION OF NEW POLITICAL PARTIES TO CONFORM WITH FEDERAL COURT RULINGS, with a favorable report, as amended.

H. B. 1070, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT JUDGES OF ELECTION, LIKE OTHER PRECINCT OFFICIALS, MAY REGISTER VOTERS ANYWHERE IN THE COUNTY, with a favorable report.

By Representative Hunt for the Committee on Rules and Operation of the House:

H. J. R. 41, A JOINT RESOLUTION REQUESTING THAT THE GOVERNOR OF NORTH CAROLINA CONSIDER THE APPOINTMENT OF ELDERLY CITIZENS TO STATE BOARDS AND COMMISSIONS IN FAIR PROPORTION TO THEIR

POPULATION WITH THE STATE OF NORTH CAROLINA, with an unfavorable report.

H. B. 560, A BILL TO BE ENTITLED AN ACT TO EMPOWER CHOWAN HOSPITAL TO USE ATTACHMENT AND GARNISHMENT PROCEDURES FOR COLLECTING UNPAID BILLS, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for May 23, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 905, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 7A OF THE GENERAL STATUTES BY ELIMINATING THE JUDICIAL COUNCIL, with a favorable report.

H. J.R. 971, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO CONTINUE TO STUDY CIVIL RIGHTS COMPLIANCE IN NON-STATE INSTITUTIONS RECEIVING STATE FUNDS, with a favorable report and recommendation that the resolution be re-referred to the Committee on Appropriations.

H. J. R. 976, A JOINT RESOLUTION ENCOURAGING LOCAL GOVERNMENTS TO OFFER A PROPERTY TAX WORK-OFF PROGRAM TO PERSONS OVER AGE SIXTY-FIVE, with an unfavorable report.

H. J. R. 1023, A JOINT RESOLUTION WELCOMING THE NATIONAL JUDICIAL COLLEGE TO NORTH CAROLINA AND EXPRESSING SUPPORT FOR THE ESTABLISHMENT OF A PERMANENT EASTERN LOCATION AT WAKE FOREST UNIVERSITY HONORING THE LATE DEAN WEATHERS, with a favorable report, as amended.

H. J. R. 1032, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE FEASIBILITY OF ESTABLISHING A CAFETERIA-STYLE BENEFITS PROGRAM FOR ALL TEACHERS AND STATE EMPLOYEES, with a favorable report and recommendation that the resolution be re-referred to the Committee on Appropriations.

S. J. R. 211, A JOINT RESOLUTION URGING THE UNITED STATES GOVERNMENT TO REFRAIN FROM OCEAN DISPOSAL OF DECOMMISSIONED NUCLEAR SUBMARINES OFF THE NORTH CAROLINA COAST, with an unfavorable report as to resolution, favorable as to House committee substitute resolution.

The House committee substitute resolution is placed on the Calendar for May 23, 1983. The original resolution is placed on the Unfavorable Calendar.

By Representative Miller for the Committee on Judiciary No. 1:

H. B. 965, A BILL TO BE ENTITLED AN ACT MAKING TECHNICAL AMENDMENTS TO THE PRIVATE PLACEMENT EXEMPTION FOR SECURITIES OFFERINGS AND ALLOWING THE SECRETARY OF STATE TO ESTABLISH LIMITED OFFERING EXEMPTIONS, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for May 23, 1983. The original bill is placed on the Unfavorable Calendar.

On motion of Representative Pulley, the vote by which H. B. 162, A BILL TO BE

ENTITLED AN ACT TO AMEND CHAPTER 66, ARTICLE 19, BUSINESS OPPORTUNITY SALES, was postponed indefinitely is reconsidered by a two-thirds majority vote, and the bill is re-referred to the Committee on Judiciary No. 4.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Hayden, Diamont, and Gentry:

H. B. 1091, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE TO COMPLETE FUNDING OF THE ANIMAL DISEASE DIAGNOSTIC LABORATORY IN NORTHWESTERN NORTH CAROLINA, is referred to the Committee on Appropriations.

By Representatives DeVane, Barnes, Bob Etheridge, Hackney, Hasty, Hightower, Locks, Roberts, Watkins, and C. Woodard:

H. B. 1092, A BILL TO BE ENTITLED AN ACT TO PROVIDE A GOOD SAMARITAN STATUTE FOR RURAL FIRE DEPARTMENTS, is referred to the Committee on Judiciary No. 2.

By Representative Adams:

H. B. 1093, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT NEW AUTO BUYERS HAVE ADEQUATE REMEDIES AGAINST AUTO MANUFACTURERS, is referred to the Committee on Judiciary No. 3.

By Representatives Warren, Ballance, Barker, Brennan, Creecy, Easterling, Economos, Foster, Huskins, James, Jeralds, Jones, Lee, Lilley, Matthews, Mauney, Rabon, and C. Woodard:

H. B. 1094, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM INCOME TAX DEDUCTION FOR CONTRIBUTIONS MADE BY INDIVIDUALS AGED 65 OR OVER TO RELIGIOUS AND OTHER NONPROFIT ORGANIZATIONS, is referred to the Committee on Finance.

By Representative Mavretic:

H. B. 1095, A BILL TO BE ENTITLED AN ACT TO LIMIT STATE APPROPRIATIONS FOR FUNDING THE EMPLOYER COST OF LOCAL GOVERNMENTS' LAW ENFORCEMENT OFFICERS WHO ARE MEMBERS OF THE LAW ENFORCEMENT OFFICERS' RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement.

By Representatives Barnes and Hackney:

H. B. 1096, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE RESTORATION OF THE ALEXANDER DICKSON HOUSE IN HILLSBOROUGH, NORTH CAROLINA, is referred to the Committee on Cultural Resources.

By Representatives Hackney and Barnes:

H. B. 1097, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE OLD TOWN CEMETERY IN HILLSBOROUGH, NORTH CAROLINA, is referred to the Committee on Cultural Resources.

By Representatives Nesbitt, Adams, Black, Blue, Colton, Cook, N. J. Crawford, Easterling, Bob Etheridge, Greenwood, Helms, Holt, Jeralds, McDowell, Payne, Robinson, Watkins, and Wicker:

H. B. 1098, A BILL TO BE ENTITLED AN ACT TO PROVIDE THE SAME ELIGIBILITY FOR UNREDUCED AND EARLY SERVICE RETIREMENTS TO POLICEMEN AND FIREMEN IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM AS PROVIDED MEMBERS OF THE LAW ENFORCEMENT OFFICERS' BENEFIT AND RETIREMENT FUND, is referred to the Committee on Pensions and Retirement.

By Representatives Seymour, Adams, Bowen, Cook, Grimsley, James, and Jarrell:

H. B. 1099, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCOME TAX CREDIT TO FARMERS WHO PERMIT THEIR CROPS TO BE GLEANED, is referred to the Committeee on Finance.

By Representatives Mavretic, Anderson, Barbee, Barker, Barnes, Black, Bowen, Brannan, Brawley, Brown, Brubaker, Chapin, Church, J.W. Crawford, Creecy, Enloe, Bob Etheridge, Gentry, Greenwood, Grimsley, Hightower, Hudson, Hunter, Huskins, James, Jones, Jordan, Lacey, Lambeth, Lancaster, Lilley, Locks, Lutz, McAlister, Murphy, Pool, Rabon, Slaughter, Tyson, Warren, B. Woodard, and C. Woodard:

H. B. 1100, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR SWINE RESEARCH FACILITIES AT THE UPPER COASTAL PLAIN RESEARCH STATION AT ROCKY MOUNT, is referred to the Committee on Appropriations.

By Representatives Blue, Anderson, Childress, Creecy, Bruce Ethridge, Fletcher, Fussell, Hayden, C. Hughes, James, Jones, Lambeth, Musselwhite, Rabon, Stamey, and Warren:

H. B. 1101, A BILL TO BE ENTITLED AN ACT TO PROVIDE A SEVEN PERCENT ACROSS-THE-BOARD SALARY INCREASE FOR ALL STATE EMPLOYEES AND EDUCATORS, FULL INCREMENTS FOR PUBLIC SCHOOL EMPLOYEES AND THE EQUIVALENT OF A FOUR AND EIGHT-TENTHS PERCENT STEP INCREASE FOR ALL STATE EMPLOYEES, A TENTH STEP FOR ALL STATE EMPLOYEES AND EDUCATORS WHO ARE CURRENTLY ON A SALARY SCHEDULE WITH ONLY NINE STEPS, AND A SEVEN PERCENT INCREASE IN RETIREMENT ALLOWANCES, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for H. B. 198, A BILL TO BE ENTITLED AN ACT TO EXEMPT NONRESIDENT MILITARY DEPENDENTS FROM DRIVER'S LICENSE REQUIREMENTS, is returned for concurrence in Senate committee substitute and is referred to the Committee on Highway Safety.

Senate Committee Substitute for H. B. 199, A BILL TO BE ENTITLED AN ACT TO PERMIT THE ODOMETER DISCLOSURE TO BE MADE ON THE CERTIFICATE OF TITLE, is returned for concurrence in Senate Committee Substitute and is referred to the Committee on Highway Safety.

Committee Substitute for S. B. 308, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NORTH CAROLINA ENERGY DEVELOPMENT AUTHORITY, is read the first time and is referred to the Committee on Public Utilities.

Committee Substitute for S. B. 422, A BILL TO BE ENTITLED AN ACT CONCERNING FEES RELATING TO THE PRACTICE OF COSMETIC ART, is read the

first time and is referred to the Committee on Finance.

CALENDAR

Action is taken on the following:

H. B. 1001, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF ELLENBORO AND TO REPEAL PRIOR LOCAL ACTS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Anderson, Auman, Ballance, Barbee, Barker, Beall, Beam, Beard, Berry, Black, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Cook, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Grimsley, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nesbitt, Owens, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Robinson, Slaughter, Spaulding, Spoon, Stamey, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 100.

Voting in the negative: Representatives Bowen, and Pool — 2.

Excused absences: Representatives Ligon and Seymour — 2.

H. B. 825, A BILL TO BE ENTITLED AN ACT TO ADD DUPLIN COUNTY TO THE LIST OF COUNTIES THAT MAY USE ATTACHMENT AND GARNISHMENT TO COLLECT FEES FOR AMBULANCE SERVICES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Anderson, Auman, Ballance, Barbee, Barker, Beall, Beam, Beard, Berry, Black, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Cook, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Grimsley, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nesbitt, Owens, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Robinson, Slaughter, Spaulding, Spoon, Stamey, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 100.

Voting in the negative: Representatives Bowen, and Pool — 2.

Excused absences: Representatives Ligon and Seymour — 2.

H. B. 648, A BILL TO BE ENTITLED AN ACT TO ALLOW THE TRANSYLVANIA COUNTY BOARD OF EDUCATION TO TRANSFER CERTAIN PROPERTY TO NONPROFIT CIVIC IMPROVEMENT ORGANIZATIONS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 731, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE TYRRELL COUNTY BOARD OF EDUCATION TO ENTER INTO CERTAIN CONTRACTS WITHOUT COMPLYING WITH THE PROVISIONS OF CHAPTER 133 AND OF ARTICLE 8 OF CHAPTER 143 OF THE GENERAL STATUTES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 782, A BILL TO BE ENTITLED AN ACT REQUIRING PROPERTY OWNERS OF ADJOINING PROPERTY IN CERTAIN COUNTIES TO MAINTAIN FENCES ON PROPERTY LINES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S. B. 369, A BILL TO BE ENTITLED AN ACT TO PERMIT THE NASH COUNTY BOARD OF COMMISSIONERS TO APPROPRIATE ADDITIONAL FUNDS FOR INDUSTRIAL DEVELOPMENT, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 405, A BILL TO BE ENTITLED AN ACT TO PERMIT PERSONS TO ENGAGE IN BUSINESS AS A PAWNBROKER IN UNINCORPORATED AREAS OF PITT COUNTY.

On motion of Representative Hayden, Committee Amendment No. 1 is adopted. This amendment changes the title.

The bill, as amended, passes its second reading and remains on the Calendar.

S. B. 431, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT CONDOMINIUMS IN THE TOWN OF ATLANTIC BEACH SHALL BE CONSIDERED TO BE TRACTS OF FIVE ACRES OR LESS FOR THE PURPOSE OF THE ANNEXATION LAW, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 497, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE COMMISSIONERS OF THE TOWN OF LOUISBURG TO CONVEY CERTAIN PROPERTY TO LOUISBURG COLLEGE, INC., A NORTH CAROLINA CORPORATION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 352, A BILL TO BE ENTITLED AN ACT TO CHANGE THE BOUNDARY BETWEEN THE FAIRMONT CITY AND ROBESON COUNTY ADMINISTRATIVE SCHOOL UNITS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 365, A BILL TO BE ENTITLED AN ACT TO RAISE THE COMPENSATION OF THE MOORE COUNTY BOARD OF EDUCATION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

H. B. 942, A BILL TO BE ENTITLED AN ACT RELATING TO MUNICIPALITIES AND PROCEDURES FOR THE OPERATION AND FINANCING OF JOINT MUNICIPAL POWER AGENCIES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Grimsley, Hasty, Hauser, Hayden, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Pool, Poovey, Pulley, Quinn, Redding, Roberts, Robinson, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 105.

Voting in the negative: None.

Excused absences: Representatives Ligon and Seymour — 2.

S. B. 420, A BILL TO BE ENTITLED AN ACT TO REQUIRE NUMBERING OF ALL VESSELS.

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House amendment.

Those voting in the affirmative are: Representatives Allran, Auman, Ballance, Barbee, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, J. W. Crawford, N. J. Crawford, Creecy, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gist, Grimsley, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Hudson, C. Hughes, J. Hughes, Hunt, Huskins, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Murphy, Musselwhite, Nash, Nesbitt, Owens, Pool, Poovey, Pulley, Quinn, Roberts, Robinson, Slaughter, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 98.

Voting in the negative: Representatives Anderson, Barker, DeVane, Hackney, Redding, and Spaulding — 6.

Excused absences: Representatives Ligon and Seymour — 2.

Committee Substitute for H. B. 933, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALTERATION OF A MARRIAGE LICENSE WHEN A PARTY TO THE MARRIAGE LAWFULLY CHANGES HIS OR HER NAME.

On motion of Representative Blue, the bill is re-referred to the Committee on Judiciary No. 3.

Committee Substitute for H. B. 384, A BILL TO BE ENTITLED AN ACT TO MAKE PERMANENT THE 120-DAY SPEEDY TRIAL LAW REQUIREMENT AND TO MAKE OTHER CHANGES.

On motion of Representative Helms, consideration of the bill is postponed until May 25, 1983.

H. B. 1061, A BILL TO BE ENTITLED AN ACT TO ENSURE DUE PROCESS FOR PERSONS WHOSE CARS ARE TOWED PURSUANT TO A LAW ENFORCEMENT OFFICER'S ORDER, passes its third reading, by electronic vote (98-2), and is ordered sent to the Senate.

Committee Substitute for H. B. 548, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PENALTY FOR NONSUPPORT.

Representative Evans offers Amendment No. 1 which is adopted.

Representative Barnes calls the previous question on the passage of the bill and the call is sustained by electronic vote (107-2).

The bill, as amended, passes its second reading by electronic vote (76-32).

Representative Ballance objects to the third reading. The bill remains on the Calendar.

H. B. 914, A BILL TO BE ENTITLED AN ACT TO ENABLE CITIES, TOWNS, AND COUNTIES TO PROVIDE FOR NEIGHBORHOOD, COMMUNITY AND RURAL PRESERVATION.

Representative Hightower offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading by electronic vote (79-24).

Representative Colton objects to the third reading. The bill remains on the Calendar.

H. B. 989, A BILL TO BE ENTITLED AN ACT TO MAKE UNLAWFUL THE UNAUTHORIZED RECONNECTION OF A LAWFULLY DISCONNECTED UTILITY.

On motion of Representative Evans, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (100-8), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

House Committee Substitute for S. B. 408, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING PLUMBING AND HEATING CONTRACTORS TO REDEFINE "HEATING, GROUP NUMBER THREE" AND "CONTRACTOR".

On motion of Representative Rabon, the bill is re-referred to the Committee on Judiciary No. 4.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. B. 117, AN ACT TO INCREASE THE MEMBERSHIP OF THE STATE BANKING COMMISSION AND TO SUBJECT THE APPOINTMENT OF THE COMMISSIONER OF BANKS TO CONFIRMATION BY THE GENERAL ASSEMBLY.

On motion of Representative Hunt, seconded by Representative Clark, the House adjourns to reconvene May 20, 1983 at 10:00 a.m.

NINETY-THIRD DAY

HOUSE OF REPRESENTATIVES
Friday, May 20, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Womble.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of May 19 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives DeVane, Evans, Fenner, Ligon, Murphy, and Wright for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Brennan for the Committee on Human Resources:

H. B. 460, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 108A-58 OF THE GENERAL STATUTES TO PROHIBIT EXCLUDED PROPERTY TRANSFER FOR PURPOSES OF MEDICAID ELIGIBILITY, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for May 24, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 1056, A BILL TO BE ENTITLED AN ACT AMENDING CHAPTER 1127 OF THE 1981 SESSION LAWS TO PERMIT CERTIFICATES OF NEED FOR CERTAIN FACILITIES REPLACING DEMOLISHED FACILITIES, with a favorable report, as amended.

H. B. 1075, A BILL TO BE ENTITLED AN ACT TO PROVIDE MORE RULEMAKING FLEXIBILITY FOR THE CHILD DAY-CARE LICENSING COMMISSION AND TO REGULATE TEMPORARY CHILD DAY-CARE FACILITIES, with a favorable report.

By Representative Mavretic for the Committee on Pensions and Retirement:

H. B. 1095, A BILL TO BE ENTITLED AN ACT TO LIMIT STATE APPROPRIATIONS FOR FUNDING THE EMPLOYER COST OF LOCAL GOVERNMENTS' LAW ENFORCEMENT OFFICERS WHO ARE MEMBERS OF THE LAW ENFORCEMENT OFFICERS' RETIREMENT SYSTEM, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

By Representative Pulley for the Committee on Judiciary No. 4:

Committee Substitute No. 1 for H. B. 800, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 65 RELATING TO FUNERAL AND BURIAL TRUST FUNDS, with an unfavorable report as to Committee Substitute Bill No. 1, favorable as to Committee Substitute Bill No. 2.

Committee Substitute Bill No. 2 is placed on the Calendar for May 24, 1983. Committee Substitute Bill No 1 is placed on the Unfavorable Calendar.

By Representative Helms for the Committee on Courts and Administration of Justice:

H. B. 474, A BILL TO BE ENTITLED AN ACT TO ALLOW ATTORNEY'S FEES AWARD IN CERTAIN CIVIL CASES, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for May 24, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 493, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE CONSTITUTIONAL AMENDMENT REGARDING APPEAL OF UTILITIES COMMISSION ORDERS, with a favorable report.

By Representative Quinn for the Committee on Finance:

Committee Substitute for H. B. 318, A BILL TO BE ENTITLED AN ACT TO REWRITE THE PUBLIC HEALTH LAWS, with a favorable report, as amended.

On motion of Representative B. Woodard, the rules are suspended and the bill is placed on the Calendar for May 24, 1983 as Special Order of Business.

By Representative Evans for the Committee on Banks and Thrift Institutions:

H. B. 855, A BILL TO BE ENTITLED AN ACT TO SET THE RATES CHARGED BY LENDERS FOR CREDIT INSURANCE AT A REASONABLE LEVEL, with an unfavorable report, with Minority Report attached.

On motion of Representative Adams, the following Minority Report is adopted by electronic vote (62-29).

MINORITY REPORT

We, the undersigned members of the Committee on Banks and Thrift Institutions, representing one-fourth of the members present and voting on H. B. 855, A BILL TO BE ENTITLED AN ACT TO SET THE RATES CHARGED BY LENDERS FOR CREDIT INSURANCE AT A REASONABLE LEVEL. (Short title: Lenders Credit Insurance Rates.)

When the bill was taken up for consideration, and disagreeing with the majority, recommend that the bill be reported favorably.

S/ Harry E. Payne, Jr.
S/ Frank W. Ballance, Jr.
S/ David H. Diamont
S/ Ray Fletcher
S/ Ruth E. Cook
S/ Marie W. Colton
S/ Herman C. Gist
S/ Tom Rabon

On motion of Representative Adams, the bill is re-referred to the Committee on Banks and Thrift Institutions.

By Representative Lancaster for the Committee on Judiciary No. 3:

H. B. 758, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR COURT REVIEW OF CHILDREN WHOSE PARENTS' PARENTAL RIGHTS HAVE BEEN TERMINATED, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for May 24, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 1034, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROCEDURES USED UNDER THE FAIR SENTENCING ACT WHEN SEVERAL CRIMES ARE CONSOLIDATED FOR JUDGMENT, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for May 24, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 1066, A BILL TO BE ENTITLED AN ACT TO CORRECT OBSOLETE REFERENCES IN THE TERMINATION OF PARENTAL RIGHTS LAW, with a favorable report.

S. B. 75, A BILL TO BE ENTITLED AN ACT REGARDING INVOLUNTARY COMMITMENT OF PERSONS FOUND INCAPABLE OF PROCEEDING OR NOT GUILTY BY REASON OF INSANITY, with a favorable report.

By Representative Wicker for the Committee on Law Enforcement:

H. B. 431, A BILL TO BE ENTITLED AN ACT TO EXTEND TERRITORIAL JURISDICTION OF THE MOCKSVILLE POLICE, with an indefinite postponement report.

H. B. 1036, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE UNAUTHORIZED USE OF PUBLIC PURCHASE OR CONTRACT PROCEDURES FOR PRIVATE BENEFIT, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives McAlister, Holt, Jordan, and McDowell:

H. B. 1102, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PURCHASE AND RENOVATE THE OLD ROCKINGHAM THEATER, is referred to the Committee on Cultural Resources.

By Representatives N. J. Crawford, Colton, Greenwood, and Nesbitt:

H. B. 1103, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE ESTABLISHMENT OF THE THOMAS WOLFE MEMORIAL STATE HISTORIC SITE VISITOR CENTER, is referred to the Committee on Cultural Resources.

By Representative Bruce Ethridge:

H. B. 1104, A BILL TO BE ENTITLED AN ACT TO REQUIRE EXTRATERRITORIAL REPRESENTATION ON THE PLANNING AGENCY WHEN MATTERS CONCERNING THE EXTRATERRITORIAL AREA ARE ACTED UPON, is referred to the Committee on Local Government No. 1.

By Representatives Hudson, Anderson, Barnes, Beam, Bowen, Brown, Chapin, Cochrane, N. J. Crawford, DeVane, Enloe, Fletcher, Fussell, Gentry, Gillam, Greenwood, Grimsley, Hasty, Hayden, Hightower, Hunter, Huskins, James, Jarrell, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lilley, Locks, Lutz, McAlister, Mauney, Mavretic, Nesbitt, Pool, Quinn, Roberts, Slaughter, Thomas, Tyndall, Warren, and C. Woodard:

H. B. 1105, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO NORTH CAROLINA STATE UNIVERSITY FOR RESEARCH PROGRAMS CONCERNING TURKEY PRODUCTION, is referred to the Committee on Appropriations.

By Representatives Watkins and Adams:

H.B. 1106, A BILL TO BE ENTITLED AN ACT TO PROVIDE LONGEVITY PAY FOR JUSTICES AND JUDGES, is referred to the Committee on Appropriations.

By Representative Wicker:

H. B. 1107, A BILL TO BE ENTITLED AN ACT TO ESTABLISH UNIQUE AND RELEVANT EDUCATION AND TRAINING STANDARDS FOR SHERIFFS, THEIR DEPUTIES, AND OTHER PERSONNEL, is referred to the Committee on Law Enforcement.

By Representative Hackney:

H. B. 1108, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 97-28 TO PERMIT USE OF LEAVE DURING THE FIRST SEVEN DAYS OF DISABILITY UNDER THE WORKER'S COMPENSATION ACT, is referred to the Committee on Manufacturers and Labor.

MESSAGE FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute Joint Resolution No. 2 for H. B. 334, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM PROVIDING FOR PUBLIC SCHOOL TEACHERS AND COLLEGE EDUCATION TEACHERS TO EXCHANGE DUTIES, is returned for concurrence in Senate Committee Substitute Joint Resolution No. 2 and is referred to the Committee on Education.

S. B. 421, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE COMMUNITY COLLEGE LAWS, is read the first time and is referred to the Committee on Higher Education.

S. B. 473, A BILL TO BE ENTITLED AN ACT TO MAKE SHOPPING CART THEFT UNLAWFUL, is read the first time and is referred to the Committee on Judiciary No. 4.

SUSPENSION OF RULES TO INTRODUCE LOCAL BILL

On motion of Representative Lutz, Rule 31.1 is suspended by a two-thirds majority vote in order for a local bill to be filed.

CALENDAR

Action is taken on the following:

H. B. 1001, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF ELLENBORO AND TO REPEAL PRIOR LOCAL ACTS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Barbee, Barker, Barnes, Beall, Beam, Beard, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, Creecy, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Kennedy, Lacey, Lambeth, Lee, Lilley,

Lutz, McAlister, McDowell, Matthews, Mauney, Musselwhite, Nash, Nesbitt, Owens, Poovey, Pulley, Redding, Roberts, Seymour, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Womble, B. Woodard, and C. Woodard — 87.

Voting in the negative: Representative Pool.

Excused absences: Representatives DeVane, Evans, Fenner, Ligon, Murphy, and Wright — 6.

H. B. 825, A BILL TO BE ENTITLED AN ACT TO ADD DUPLIN COUNTY TO THE LIST OF COUNTIES THAT MAY USE ATTACHMENT AND GARNISHMENT TO COLLECT FEES FOR AMBULANCE SERVICES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Barbee, Barker, Barnes, Beall, Beam, Beard, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, Creecy, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Kennedy, Lacey, Lambeth, Lee, Lilley, Lutz, McAlister, McDowell, Matthews, Mauney, Musselwhite, Nash, Nesbitt, Owens, Poovey, Pulley, Redding, Roberts, Seymour, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Womble, B. Woodard, and C. Woodard — 87.

Voting in the negative: Representative Pool.

Excused absences: Representatives DeVane, Evans, Fenner, Ligon, Murphy, and Wright — 6.

S. B. 405, A BILL TO BE ENTITLED AN ACT TO PERMIT PERSONS TO ENGAGE IN BUSINESS AS A PAWNBROKER IN UNINCORPORATED AREAS OF PITT AND ALLEGHANY COUNTIES.

The bill, as amended, passes its third reading, by electronic vote (90-0), and is ordered sent to the Senate for concurrence in House amendment.

Committee Substitute for H. B. 137, A BILL TO BE ENTITLED AN ACT TO ALLOW PUBLIC AND NONPROFIT HUMAN SERVICES PROGRAMS TO PURCHASE PERMANENT LICENSE TAGS FOR AGENCY VEHICLES, AND TO INCREASE THE FEE FOR PERMANENT REGISTRATION PLATES ISSUED TO THE STATE AND CERTAIN NONPROFIT ORGANIZATIONS.

On motion of Representative Economos, Committee Amendment No. 1 is adopted.

On motion of Representative Economos, Committee Amendment No. 2 is adopted by electronic vote (83-6).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Bowen, Brannan, Brawley, Brennan, Brown, Bumgardner, Chapin, Childress, Church, Coble, Cochrane, Colton, J. W. Crawford, N. J. Crawford, Creecy, Easterling, Economos, Edwards, Enloe, Bruce Ethridge, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hauser, Hayden, Helms, Holmes, Holt, Hudson, C. Hughes, Hunt, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Kennedy, Lacey, Lambeth, Lutz, McAlister, McDowell,

Matthews, Mauney, Mavretic, Musselwhite, Nash, Nesbitt, Owens, Pool, Poovey, Pulley, Roberts, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Womble, B. Woodard, and C. Woodard — 85.

Voting in the negative: Representatives Brubaker, Hasty, Locks, and Redding — 4.

Excused absences: Representatives DeVane, Evans, Fenner, Keesee, Ligon, Murphy, and Wright — 7.

H. B. 1049, A BILL TO BE ENTITLED AN ACT TO ALLOW CITIES AND COUNTIES TO LEVY PROPERTY TAXES FOR INDUSTRIAL DEVELOPMENT AND ECONOMIC DEVELOPMENT.

Representative Cook offers Amendment No. 1.

Representative Cook calls the previous question on the amendment and the call is sustained by electronic vote (86-13).

Amendment No. 1 fails of adoption by electronic vote (45-56).

On motion of Representative Quinn, consideration of the bill is postponed until May 25, 1983.

Committee Substitute for H. B. 548, A BILL TO BE ENTITLED AN ACT TO MODIFY THE PENALTY FOR NONSUPPORT.

Representative Ballance offers Amendment No. 2 which is adopted by electronic vote (49-35).

The bill, as amended, passes its third reading, by electronic vote (73-10), and is ordered engrossed and sent to the Senate.

H. B. 914, A BILL TO BE ENTITLED AN ACT TO ENABLE CITIES, TOWNS, AND COUNTIES TO PROVIDE FOR NEIGHBORHOOD, COMMUNITY AND RURAL PRESERVATION.

On motion of Representative Colton, consideration of the bill is postponed until May 24, 1983.

Committee Substitute for H. B. 759, A BILL TO BE ENTITLED AN ACT TO SPECIFY A SUMMONS FOR TERMINATION OF PARENTAL RIGHTS CASES, TO PROVIDE FOR AN ANSWER IN SUCH CASES, AND TO SPECIFY WHO IS TO RECEIVE COPIES OF TERMINATION OF PARENTAL RIGHTS ORDERS.

Representative Blue offers Amendment No. 1 which is adopted.

Representative Lee offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (73-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Committee Substitute for H. B. 445, A BILL TO BE ENTITLED AN ACT TO REQUIRE LIGHTED HEADLAMPS ON MOTOR VEHICLES WHEN THE WINDSHIELD WIPERS ARE ON.

Representative Mavretic moves that the bill be re-referred to the Committee on Highway Safety.

Representative Hayden moves that the motion to re-refer do lie upon the table and this motion fails for lack of a second to the motion.

On motion of Representative Lancaster, consideration of the bill is postponed until May 24, 1983.

H. B. 906, A BILL TO BE ENTITLED AN ACT TO SET AN EARLIER FILING DEADLINE FOR CITIES THAT USE THE NONPARTISAN PLURALITY METHOD OF ELECTION, passes its second reading by electronic vote (81-2).

Representative Lancaster objects to the third reading. The bill remains on the Calendar.

H. B. 1026, A BILL TO BE ENTITLED AN ACT RELATING TO THE FORMATION OF NEW POLITICAL PARTIES TO CONFORM WITH FEDERAL COURT RULINGS.

On motion of Representative Blue, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (76-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 1070, A BILL TO BE ENTITLED AN ACT TO CLARIFY THAT JUDGES OF ELECTION, LIKE OTHER PRECINCT OFFICIALS, MAY REGISTER VOTERS ANYWHERE IN THE COUNTY, passes its second reading, by electronic vote (75-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 905, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 7A OF THE GENERAL STATUTES BY ELIMINATING THE JUDICIAL COUNCIL, passes its second reading, by electronic vote (75-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. J. R. 1023, A JOINT RESOLUTION WELCOMING THE NATIONAL JUDICIAL COLLEGE TO NORTH CAROLINA AND EXPRESSING SUPPORT FOR THE ESTABLISHMENT OF A PERMANENT EASTERN LOCATION AT WAKE FOREST UNIVERSITY HONORING THE LATE DEAN WEATHERS.

On motion of Representative Helms, Committee Amendment No. 1 is adopted.

The resolution, as amended, passes its second reading, by electronic vote (65-0), and there being no objection is read a third time.

The resolution, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

S. B. 474, A BILL TO BE ENTITLED AN ACT TO CHANGE THE COMPOSITION OF THE COMMITTEE ON EMPLOYEE HOSPITAL AND MEDICAL BENEFITS, is read the first time and is referred to the Committee on Rules and Operation of the House.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 157, AN ACT RELATING TO THE CERTIFICATION OF ELECTIONS WHICH ARE CONTESTED.

H. B. 253, AN ACT TO PROVIDE THAT WHEN THE FILING DEADLINE FOR CANDIDACY TO TWO OR MORE PUBLIC OFFICES IS THE SAME, A PERSON MAY NOT FILE AS A CANDIDATE FOR MORE THAN ONE OFFICE.

H. B. 386, AN ACT TO MAKE TECHNICAL CORRECTIONS IN THE ELECTIONS STATUTES.

H. B. 448, AN ACT TO AMEND SERVICE OF PROCESS IN SUMMARY EJECTMENT CASES.

H. B. 649, AN ACT TO REVISE THE PARTS OF CHAPTER 162A OF THE GENERAL STATUTES RELATING TO METROPOLITAN SEWERAGE DISTRICTS.

H. B. 784, AN ACT TO AMEND THE BEACH ACCESS PROGRAM RELATING TO LAND ACQUISITION.

S. B. 97, AN ACT TO CLARIFY CERTAIN TIME PERIODS RELATING TO FORECLOSURES.

S. B. 168, AN ACT TO DEDICATE FUNDS FOR THE HENDERSON COUNTY COURTHOUSE.

S. B. 352, AN ACT TO CHANGE THE BOUNDARY BETWEEN THE FAIRMONT CITY AND ROBESON COUNTY ADMINISTRATIVE SCHOOL UNITS.

S. B. 365, AN ACT TO RAISE THE COMPENSATION OF THE MOORE COUNTY BOARD OF EDUCATION.

S. B. 369, AN ACT TO PERMIT THE NASH COUNTY BOARD OF COMMISSIONERS TO APPROPRIATE ADDITIONAL FUNDS FOR INDUSTRIAL DEVELOPMENT.

S. B. 374, AN ACT FOR A PROGRAM FOR BASIC AND VOCATIONAL SKILLS AT GRADES SEVEN AND EIGHT.

S. B. 431, AN ACT TO CLARIFY THAT CONDOMINIUMS IN THE TOWN OF ATLANTIC BEACH SHALL BE CONSIDERED TO BE TRACTS OF FIVE ACRES OR LESS FOR THE PURPOSE OF THE ANNEXATION LAW.

S. B. 497, AN ACT TO AUTHORIZE THE COMMISSIONERS OF THE TOWN OF LOUISBURG TO CONVEY CERTAIN PROPERTY TO LOUISBURG COLLEGE, INC., A NORTH CAROLINA CORPORATION.

On motion of Representative Hunt, seconded by Representative Enloe, the House adjourns to reconvene Monday, May 23, 1983 at 8:00 p.m.

NINETY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Monday, May 23, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Berry.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of May 20 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Anderson, Burnley, Colton, Gentry, Gist, Ligon, and Stamey for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Wright for the Committee on Judiciary No. 2:

H. B. 436, A BILL TO BE ENTITLED AN ACT TO REVISE G. S. 1A-1, RULE 4(j1), G. S. 1-597 AND G. S. 1-598, RELATING TO SERVICE OF PROCESS BY NEWSPAPER PUBLICATION IN ORDER TO INCORPORATE COURT MANDATED REQUIREMENTS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for May 25, 1983. the original bill is placed on the Unfavorable Calendar.

H. B. 663, A BILL TO BE ENTITLED AN ACT TO REVISE G. S. 47-30, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for May 25, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 1042, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN FORECLOSURE SALES, with a favorable report.

By Representative Hightower for the Committee on Insurance:

H. B. 58, A BILL TO BE ENTITLED AN ACT TO AMEND THE GROUP HEALTH INSURANCE CONTINUATION AND CONVERSION PRIVILEGES LAW WITH REGARD TO CONVERSION POLICY RATE FILINGS, with a favorable report, as amended.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives McDowell and Holt:

H. B. 1109, A BILL TO BE ENTITLED AN ACT TO REQUIRE A REFERENDUM BEFORE ANNEXATION IF REQUESTED BY FIFTEEN PERCENT OF THE VOTERS IN THE AREA TO BE ANNEXED OR THE EXISTING CITY, BUT PROVIDING THAT THE CITY AND THE AREA TO BE ANNEXED SHALL VOTE

TOGETHER ON THE QUESTION, is referred to the Committee on Local Government No. 1.

By Representatives Beam, Bumgardner, Mauney, and Roberts:

H. B. 1110, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS FOR SPECIALIZED COMMUNITY RESIDENTIAL CARE AND INSTRUCTION AT HOLY ANGELS NURSERY, is referred to the Committee on Appropriations.

By Representative Adams:

H. B. 1111, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE ATTORNEYS' FEES AWARD IN CERTAIN CASES, is referred to the Committee on Courts and Administration of Justice.

By Representatives Adams, Blue, and Hauser:

H. B. 1112, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 163 OF THE GENERAL STATUTES TO AUTHORIZE REGISTRATION OF VOTERS BY DRIVER LICENSE EXAMINERS OF THE DIVISION OF MOTOR VEHICLES, is referred to the Committee on Election Laws.

By Representative Adams:

H. B. 1113, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ALL STATUTORY REFERENCES TO THE INTERNAL REVENUE CODE MEAN THE INTERNAL REVENUE CODE AS ENACTED ON A SPECIFIC DATE AND TO LIMIT THE AMOUNT THAT TAXPAYERS MAY DEDUCT AS DEPRECIATION UNDER THE ACCELERATED COST RECOVERY SYSTEM, is referred to the Committee on Finance.

By Representatives Foster and Hauser:

H. B. 1114, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 12, G. S. 115C-189 TO ALLOW THE STATE BOARD OF EDUCATION TO SELECT THE TYPE OF ANNUAL TEST TO BE USED IN THE FIRST, SECOND, THIRD, SIXTH AND NINTH GRADES, is referred to the Committee on Education.

By Representatives Foster, Brennan, and Easterling:

H. B. 1115, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MOTOR VEHICLE REGISTRATION FEE FOR SUPPORT OF DRIVER EDUCATION PROGRAMS FROM THREE DOLLARS TO FIVE DOLLARS, is referred to the Committee on Transportation.

By Representatives Adams, Hunter, and Payne:

H. B. 1116, A BILL TO BE ENTITLED AN ACT TO REQUIRE STATE AGENCIES AND POLITICAL SUBDIVISIONS TO COOPERATE IN EFFORTS TO PROMOTE THE USE OF SMALL, MINORITY AND WOMEN CONTRACTORS IN PUBLIC CONSTRUCTION AND PURCHASING CONTRACTS, is referred to the Committee on State Government.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H. B. 883, A BILL TO BE ENTITLED AN ACT TO REGULATE THE USE OF

FIREARMS ON PUBLIC HIGHWAYS IN THE COUNTIES OF HOKE AND ROBESON, is returned for concurrence in Senate amendment and is placed on the Calendar for May 24, 1983.

S. B. 177, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT DRIVERS' LICENSES AND SPECIAL IDENTIFICATION CARDS BE COLOR-CODED ACCORDING TO AGE, is read the first time and is referred to the Committee on Transportation.

S. B. 418, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE USE OF PUBLIC BUILDINGS TO REFLECT THAT POLITICAL PARTIES NOW HOLD ANNUAL MEETINGS, AND TO RESTRICT USE ONLY IF IT INTERFERES WITH SCHOOL FUNCTIONS AND ACTIVITIES, is read the first time and is referred to the Committee on Election Laws.

S. B. 432, A BILL TO BE ENTITLED AN ACT TO PROHIBIT BEAR HUNTING WITH DOGS IN PAMLICO COUNTY, is read the first time and is referred to the Committee on Wildlife Resources.

S. B. 466, A BILL TO BE ENTITLED AN ACT TO REPEAL LOCAL LEGISLATION PERTAINING TO DAIRY HERDS IN BUNCOMBE COUNTY, is read the first time and is referred to the Committee on Local Government No. 1.

CALENDAR

Action is taken on the following:

Committee Substitute for H. B. 560, A BILL TO BE ENTITLED AN ACT TO EMPOWER WASHINGTON COUNTY HOSPITAL AND CHOWAN HOSPITAL TO USE ATTACHMENT AND GARNISHMENT PROCEDURES FOR COLLECTING UNPAID BILLS.

Representative James calls the previous question on the passage of the bill and the call is sustained by electronic vote (75-22).

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Auman, Barbee, Barker, Barnes, Beall, Beam, Berry, Black, Brannan, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Coble, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Enloe, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gillam, Greenwood, Grimsley, Hackney, Hasty, Hayden, Hightower, Holmes, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jones, Lacey, Lambeth, Lee, Lilley, Locks, Lutz, Matthews, Mauney, Mavretic, Murphy, Musselwhite, Nash, Poovey, Quinn, Redding, Roberts, Seymour, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, and B. Woodard — 79.

Voting in the negative: Representatives Ballance, Blue, Bowen, Edwards, Hauser, Holt, Jeralds, Keesee, Kennedy, Lancaster, McAlister, McDowell, Miller, Nesbitt, Owens, Payne, Pool, Pulley, Slaughter, Spaulding, C. Woodard, and Wright — 22.

Excused absences: Representatives Anderson, Burnley, Colton, Gentry, Gist, Ligon, and Stamey — 7.

Committee Substitute for H. B. 137, A BILL TO BE ENTITLED AN ACT TO ALLOW PUBLIC AND NONPROFIT HUMAN SERVICES PROGRAMS TO PURCHASE PERMANENT LICENSE TAGS FOR AGENCY VEHICLES, AND TO

INCREASE THE FEE FOR PERMANENT REGISTRATION PLATES ISSUED TO THE STATE AND CERTAIN NONPROFIT ORGANIZATIONS.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Allran, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Cochrane, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gillam, Greenwood, Grimsley, Hackney, Hauser, Hayden, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Redding, Roberts, Seymour, Slaughter, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 99.

Voting in the negative: Representatives Hasty and Locks — 2.

Excused absences: Representatives Anderson, Burnley, Colton, Gentry, Gist, Ligon, and Stamey — 7.

Committee Substitute No. 2 for H. B. 494, A BILL TO BE ENTITLED AN ACT TO RAISE COSTS AND FEES IN THE GENERAL COURTS OF JUSTICE.

On motion of Representative Quinn, consideration of the bill is postponed until May 24, 1983.

H. B. 906, A BILL TO BE ENTITLED AN ACT TO SET AN EARLIER FILING DEADLINE FOR CITIES THAT USE THE NONPARTISAN PLURALITY METHOD OF ELECTION.

On motion of Representative Poovey, consideration of the bill is postponed until May 24, 1983.

Committee Substitute for H. B. 965, A BILL TO BE ENTITLED AN ACT MAKING TECHNICAL AMENDMENTS TO THE PRIVATE PLACEMENT EXEMPTION FOR SECURITIES OFFERINGS AND ALLOWING THE SECRETARY OF STATE TO ESTABLISH LIMITED OFFERING EXEMPTIONS, passes its second reading, by the following vote and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Coble, Cochrane, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gillam, Greenwood, Grimsley, Hasty, Hauser, Hayden, Hightower, Holmes, Holt, Hudson, C. Hughes, Hunt, Hunter, Huskins, Jarrell, Jeralds, Jones, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Seymour, Slaughter, Spaulding, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 101.

Voting in the negative: None.

Excused absences: Representatives Anderson, Burnley, Colton, Gentry, Gist, Ligon, and Stamey — 7.

Committee Substitute for H. B. 831, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PRESUMPTION IN FAVOR OF COMMUNITY PENALTIES FOR CERTAIN FELONS.

The bill fails to pass its second reading by electronic vote (33-69).

Committee Substitute for H. B. 892, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 143B-450.1 TO PROVIDE FOR PROVISIONAL DATA-GATHERING AUTHORITY IN THE ENERGY DIVISION OF THE DEPARTMENT OF COMMERCE, passes its second reading, by electronic vote (97-5), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Representative Barbee presiding.

H. B. 1056, A BILL TO BE ENTITLED AN ACT AMENDING CHAPTER 1127 OF THE 1981 SESSION LAWS TO PERMIT CERTIFICATES OF NEED FOR CERTAIN FACILITIES REPLACING DEMOLISHED FACILITIES.

On motion of Representative Tennille, Committee Amendment No. 1 is adopted by electronic vote (90-1).

The bill, as amended, passes its second reading, by electronic vote (93-2), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 1075, A BILL TO BE ENTITLED AN ACT TO PROVIDE MORE RULEMAKING FLEXIBILITY FOR THE CHILD DAY-CARE LICENSING COMMISSION AND TO REGULATE TEMPORARY CHILD DAY-CARE FACILITIES, passes its second reading, by electronic vote (88-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 493, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE CONSTITUTIONAL AMENDMENT REGARDING APPEAL OF UTILITIES COMMISSION ORDERS.

On motion of Representative Quinn, consideration of the bill is postponed until May 24, 1983.

H. B. 1066, A BILL TO BE ENTITLED AN ACT TO CORRECT OBSOLETE REFERENCES IN THE TERMINATION OF PARENTAL RIGHTS LAW, passes its second reading, by electronic vote (94-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 1036, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE UNAUTHORIZED USE OF PUBLIC PURCHASE OR CONTRACT PROCEDURES FOR PRIVATE BENEFIT, passes its second reading, by electronic vote (94-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

House Committee Substitute for S. J. R. 211, A JOINT RESOLUTION URGING THE UNITED STATES GOVERNMENT TO REFRAIN FROM OCEAN DISPOSAL OF DECOMMISSIONED NUCLEAR SUBMARINES OFF THE NORTH CAROLINA COAST, passes its second reading, by electronic vote (94-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

S. B. 75, A BILL TO BE ENTITLED AN ACT REGARDING INVOLUNTARY COMMITMENT OF PERSONS FOUND INCAPABLE OF PROCEEDING OR NOT GUILTY BY REASON OF INSANITY, passes its second reading, by electronic vote (97-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 219, AN ACT TO AUTHORIZE WAKE COUNTY DEPUTY SHERIFFS TO PURCHASE THEIR REVOLVERS.

H. B. 530, AN ACT TO AUTHORIZE THE ESTABLISHMENT OF A SPECIAL DEPUTY PROGRAM FOR THE SHERIFFS OF CASWELL, DAVIDSON, EDGECOMBE, GRANVILLE, GUILFORD, HALIFAX, PERSON, VANCE AND WARREN COUNTIES AND TO MAKE THE NORTH CAROLINA WORKER'S COMPENSATION ACT APPLICABLE TO MEMBERS OF THE SPECIAL DEPUTY PROGRAM.

H. B. 569, AN ACT TO ANNEX A CERTAIN TRACT OF LAND TO THE TOWN OF MURPHY.

H. B. 574, AN ACT TO ALLOW THE TOWN OF MAIDEN TO MAKE STREET IMPROVEMENTS AND ASSESS THE COST AGAINST ABUTTING PROPERTY OWNERS WITHOUT A PETITION.

H. B. 590, AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON TO DELETE REFERENCES TO THE POSITION OF CITY TREASURER.

H. B. 591, AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON TO PROVIDE FOR THE LICENSING AND REGULATION OF VEHICLES FOR HIRE.

H. B. 616, AN ACT REGARDING RETENTION AND DESTRUCTION OF LIBRARY BOOKS IN DARE COUNTY.

H. B. 618, AN ACT TO REVISE THE CHARTER OF THE CITY OF LUMBERTON.

H. B. 623, AN ACT TO INCORPORATE THE TOWN OF KING IN STOKES COUNTY.

H. B. 625, AN ACT TO ALLOW THE ASHEVILLE CITY BOARD OF EDUCATION TO PAY ITS TEN-MONTH EMPLOYEES ON OR BEFORE THE TENTH DAY OF EACH MONTH.

H. B. 636, AN ACT TO ALLOW CLAY COUNTY TO DISPOSE OF CERTAIN PROPERTY AT PRIVATE SALE.

H. B. 637, AN ACT TO ALLOW THE COUNTY OF GRAHAM TO EXCHANGE PROPERTY WITH THE UNITED STATES FOREST SERVICE.

H. B. 638, AN ACT TO RAISE THE FORCE ACCOUNT CONSTRUCTION LIMIT FOR MACON COUNTY.

H. B. 670, AN ACT REQUIRING THE OPERATOR OF ANY VESSEL OPERATED ON THE WATERS OF THE STATE TO STOP FOR A BLUE LIGHT OR SIREN EXHIBITED BY ANY LAW ENFORCEMENT OFFICER DURING THE PERFORMANCE OF DUTIES.

H. B. 754, AN ACT TO ANNEX TERRITORY TO THE TOWN OF PILOT MOUNTAIN.

H. B. 798, AN ACT TO GRANT THE WINSTON-SALEM/FORSYTH COUNTY BOARD OF EDUCATION AUTHORITY TO SELL SURPLUS SCHOOL PROPERTY TO NONPROFIT ORGANIZATIONS BY PRIVATE NEGOTIATIONS AND SALE.

H. B. 801, AN ACT TO AMEND THE CHARTER OF THE TOWN OF SOUTHERN PINES.

H. B. 804, AN ACT TO AMEND THE SCHOOL BUDGET AND FISCAL CONTROL ACT CONCERNING APPROVAL OF EXPENDITURES SOME OR ALL OF WHICH ARE TO BE PAID IN ENSUING FISCAL YEARS.

H. B. 816, AN ACT PROHIBITING INTERFERENCE WITH AN EMERGENCY IN FORSYTH COUNTY.

H. B. 822, AN ACT TO INCREASE THE MAXIMUM FINE FOR LITTERING IN THE CITY OF CHARLOTTE.

H. B. 828, AN ACT TO LIMIT THE APPLICABILITY OF A PROPOSED SCHOOL SUPPLEMENT TAX IN TRANSYLVANIA COUNTY.

H. B. 840, AN ACT TO AUTHORIZE A. D. WARD TO CONVEY CERTAIN LANDS TO THE CITY OF NEW BERN, AND TO AUTHORIZE MEMBERS OF THE BOARD OF ALDERMEN TO MAKE LOAN APPLICATIONS.

H. B. 854, AN ACT TO WAIVE COMPLIANCE WITH CERTAIN STATUTES IN THE CONSTRUCTION OF THE NEW HANOVER COUNTY REFUSE FIRED STEAM GENERATING FACILITY.

H. B. 862, AN ACT TO AMEND THE CHARTER AND RELATED LAWS OF THE CITY OF WILMINGTON TO CLARIFY PROCEDURES RELATING TO SPECIAL USE DISTRICTS AND SPECIAL USE PERMITS.

H. B. 863, AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON TO REVISE CERTAIN ORDINANCE PROCEDURES.

H. B. 866, AN ACT TO ALLOW THE CUMBERLAND COUNTY BOARD OF COMMISSIONERS TO CONDUCT AN ADVISORY REFERENDUM ON THE QUESTION OF A SUNDAY-CLOSING LAW.

H. B. 870, AN ACT CONCERNING THE DEADLINE FOR MODIFYING THE BOUNDARIES OF DURHAM CITY ELECTION WARDS.

H. B. 878, AN ACT TO PROVIDE THAT THE CITY OF DURHAM MAY CONTRACT WITH AND APPROPRIATE MONEY TO ANY PERSON, ASSOCIATION, OR CORPORATION FOR THE ACCOMPLISHMENT OF PUBLIC PURPOSES.

H. B. 880, AN ACT ALTERING THE DISTRIBUTION OF PROFITS OF THE CITY OF HERTFORD ABC BOARD.

H. B. 885, AN ACT TO INCORPORATE WITHIN THE TOWN OF MINT HILL CERTAIN UNANNEXED TERRITORY LYING WITHIN ITS OUTER BOUNDARIES.

H. B. 887, AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM, BY ADDING PROVISIONS RELATING TO FAIR HOUSING.

H. B. 490, AN ACT TO PERMIT PAYMENT OF DIVIDENDS BASED ON THE LOSS EXPERIENCE OF INDIVIDUAL POLICYHOLDERS IN WORKERS' COMPENSATION INSURANCE.

H. B. 682, AN ACT TO ALLOW THE USE OF THE STATE COURIER SERVICE OR A COMMON OR CONTRACT CARRIER IN ADDITION TO THE UNITED STATES MAIL FOR PURPOSES OF MAINTAINING A CHAIN OF CUSTODY.

H. B. 719, AN ACT TO CLARIFY THE DEPARTMENT OF CORRECTION'S AUTHORITY TO PROVIDE TREATMENT AND TRAINING PROGRAMS FOR MENTALLY RETARDED PRISONERS.

H. B. 851, AN ACT CLARIFYING PROCEDURES OF LOCAL INSPECTION DEPARTMENTS AND AUTHORIZING COMPENSATION OF LOCAL PLANNING AGENCIES.

H. B. 956, AN ACT TO AMEND G. S. 115D-20 RELATING TO POWERS AND DUTIES OF TRUSTEES OF COMMUNITY COLLEGES.

H. B. 919, AN ACT TO CHANGE THE METHOD OF DETERMINING THE AMOUNT DUE UNDER THE SOFT DRINK DISPENSER TAX.

H. J. R. 340, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JONAS MELVIN (JACK) GARDNER, A FORMER MEMBER OF THE GENERAL ASSEMBLY FROM JOHNSTON COUNTY.

H. J. R. 589, A JOINT RESOLUTION DESIGNATING WILMINGTON AS AN INTERNATIONAL CITY.

H. J. R. 760, A JOINT RESOLUTION DIRECTING THE MENTAL HEALTH STUDY COMMISSION TO EXAMINE FUNDING POLICIES OF AREA MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE PROGRAMS.

H. J. R. 1022, A JOINT RESOLUTION PROVIDING FOR JOINT SESSIONS OF THE HOUSE COMMITTEE ON PUBLIC UTILITIES AND THE SENATE COMMITTEE ON PUBLIC UTILITIES AND ENERGY TO REVIEW THE GOVERNOR'S APPOINTEES TO THE UTILITIES COMMISSION AND THE EXECUTIVE DIRECTOR OF THE PUBLIC STAFF, AND PROVIDING FOR A JOINT SESSION OR SESSIONS OF THE HOUSE OF REPRESENTATIVES AND THE SENATE TO ACT ON CONFIRMATION OF APPOINTMENTS MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION AND FOR EXECUTIVE DIRECTOR OF THE PUBLIC STAFF.

On motion of Representative Hunt, seconded by Representative Fussell, the House adjourns to reconvene May 24, 1983 at 1:30 p.m.

NINETY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, May 24, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Beard.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of May 23 has been examined and found correct. Upon his motion the Journal is approved as written.

Leaves of absence are granted Representatives Anderson, DeVane, Gist, Ligon, and Stamey for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Quinn for the Committee on Finance:

House Committee Substitute for Senate Committee Substitute for S. B. 83, A BILL TO BE ENTITLED AN ACT SETTING STANDARDS FOR QUALIFICATION, TRAINING AND EXPERIENCE FOR PERSONS SEEKING TO REPRESENT THEMSELVES TO THE PUBLIC AS CERTIFIED SOCIAL WORKERS: CREATING A STATE BOARD OF EXAMINERS FOR SOCIAL WORKERS: DEFINING THE FUNCTIONS AND DUTIES OF THAT BOARD: AND PROVIDING FOR PENALTIES, with a favorable report.

By Representative Thomas for the Committee on Higher Education:

H. B. 150, A BILL TO BE ENTITLED AN ACT TO REQUIRE NONRESIDENT STUDENTS AT THE STATE'S INSTITUTIONS OF HIGHER EDUCATION TO PAY TUITION THAT APPROXIMATES THE COST OF THEIR EDUCATION, with an unfavorable report.

H. B. 321, A BILL TO BE ENTITLED AN ACT TO REQUIRE OUT-OF-STATE STUDENTS AT THE STATE'S INSTITUTIONS OF HIGHER EDUCATION TO PAY THE FULL COST OF THEIR EDUCATION, with an unfavorable report.

H. B. 564, A BILL TO BE ENTITLED AN ACT TO LIMIT THE STATE SUBSIDY OF THE UNIVERSITY OF NORTH CAROLINA OUT-OF-STATE TUITION, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title, and recommendation that the substitute bill be re-referred to the Committee on Appropriations.

The substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Pulley for the Committee on Judiciary No. 4:

H. B. 937, A BILL TO BE ENTITLED AN ACT TO REQUIRE A SHERIFF TO GIVE NOTICE BEFORE REMOVING AN EVICTED TENANT'S PERSONAL PROPERTY AND TO ALLOW THE SHERIFF TO STORE THIS PROPERTY, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for May 26, 1983. The original bill is placed on the Unfavorable Calendar.

S. B. 469, A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE FORGERY LAW TO MAKE CLEAR THAT IT APPLIES TO CHECKS OF SAVINGS AND LOANS, CREDIT UNIONS, AND FEDERAL, STATE, AND LOCAL GOVERNMENTS, with a favorable report.

By Representative Wright for the Committee on Judiciary No. 2:

H. B. 189, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE CRIME OF ARMED ROBBERY, with an unfavorable report.

H. B. 651, A BILL TO BE ENTITLED AN ACT TO AMEND THE ADOPTION STATUTES AND RELATED LAWS, with a favorable report, as amended.

H. B. 652, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 14-320 CONCERNING THE SEPARATION OF CHILDREN FROM THEIR PARENTS, with an unfavorable report.

By Representative Barker for the Committee on Menatl Health:

Senate Committee Substitute for House Committee Substitute for H. B. 118, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE USE OF THE SINGLE PORTAL OF ENTRY AND EXIT PRINCIPLE IN RENDERING MENTAL HEALTH SERVICES, with recommendation that the House concur.

On motion of Representative Barker, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Barker, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

By Representative Lancaster for the Committee on Judiciary No. 3:

H. B. 13, A BILL TO BE ENTITLED AN ACT TO DECRIMINALIZE THE FIRST OFFENSE OF DRIVING UNDER THE INFLUENCE OF ALCOHOL AND TO PROVIDE FOR ADMINISTRATIVE PENALTIES, with an indefinite postponement report.

S. B. 39, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 39 TO FURTHER EQUALIZE BETWEEN MARRIED PERSONS THE RIGHT TO INCOME, POSSESSION AND CONTROL IN PROPERTY OWNED CONCURRENTLY IN TENANCY BY THE ENTIRETY, with a favorable report.

By Representative Church for the Committee on State Government:

H. B. 709, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE ALARM SYSTEMS LICENSING ACT, with an unfavorable report as to bill, favorable as to committee substitute bill, and recommendation that the substitute bill be re-referred to the Committee on Finance.

The substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative James for the Committee on Agriculture:

Committee Substitute for H. B. 38, A BILL TO BE ENTITLED AN ACT TO REWRITE THE CRIMINAL STATUTE REGARDING CONTRACTS BETWEEN

LANDLORDS AND TENANTS, with an unfavorable report as to Committee Substitute Bill No. 1, favorable as to Committee Substitute Bill No. 2, which changes the title.

Committee Substitute Bill No. 2 is placed on the Calendar for May 26, 1983. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H. B. 960, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CROP SCIENCE EXTENSION PROGRAMS FOR BURLEY AND FLUE-CURED TOBACCO, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

S. B. 185, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 20-118 PERTAINING TO WEIGHT OF VEHICLES AND LOADS, with a favorable report.

By Representative Hightower for the Committee on Insurance:

H. B. 61, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING AND TECHNICAL AMENDMENTS TO VARIOUS INSURANCE STATUTES, with a favorable report.

By Representative Colton for the Committee on Cultural Resources:

H. B. 706, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE MATCHING FUNDS TO ASSIST IN THE RESTORATION OF STONEWALL IN NASH COUNTY, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H. B. 756, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE DEVELOPMENT AND IMPROVEMENT OF THE SNOW CAMP DRAMA SOCIETY'S HISTORIC AND CULTURAL ACTIVITIES AND PROGRAMS, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H. B. 781, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST IN THE RESTORATION OF THE NORTHAMPTON COUNTY CLERK AND REGISTER'S OFFICE IN JACKSON, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H. B. 786, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST IN THE ADAPTIVE RESTORATION OF THE GATES COUNTY COURTHOUSE IN GATESVILLE, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H. B. 793, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST IN THE ADAPTIVE RESTORATION OF THE LATHAM HOUSE IN PLYMOUTH, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H. B. 794, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST IN THE RESTORATION OF THE CUPOLA AND BARKER HOUSES IN EDENTON, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H. B. 807, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE HISTORIC PRESERVATION FUND OF EDGECOMBE COUNTY, INC., with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

By Representative Miller for the Committee on Judiciary No. 1:

H. B. 544, A BILL TO BE ENTITLED AN ACT TO REQUIRE A LAW ENFORCEMENT OFFICER WHO ARRESTS AN UNEMANCIPATED MINOR TO INFORM THE MINOR'S PARENTS OF THE ARREST, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for May 26, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 856, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF "RULE" FOR PURPOSES OF ADMINISTRATIVE PROCEDURE, with a favorable report, as amended.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Miller:

H. B. 1117, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA SECURITIES ACT, is referred to the Committee on Judiciary No. 1.

By Representative Lancaster:

H. B. 1118, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 20 TO MAKE ODOMETER FRAUD A FELONY, is referred to the Committee on Transportation.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H. B. 201, A BILL TO BE ENTITLED AN ACT TO REQUIRE A MAJORITY OF LANDOWNERS FOR THE CREATION OF A RURAL FIRE PROTECTION DISTRICT, is returned for concurrence in Senate amendment and is placed on the Calendar for May 25, 1983.

Committee Substitute for H. B. 236, A BILL TO BE ENTITLED AN ACT REQUIRING DEFERRAL OF IMPRISONMENT OF PREGNANT DEFENDANTS CONVICTED OF NONVIOLENT CRIMES, is returned for concurrence in Senate amendment and is placed on the Calendar for May 25, 1983.

Committee Substitute for H. B. 295, A BILL TO BE ENTITLED AN ACT TO PERMIT A REGISTERED VOTER WHO HAS MOVED FROM ONE PRECINCT TO ANOTHER WITHIN THE SAME COUNTY MORE THAN THIRTY DAYS BEFORE AN ELECTION TO RECORD A CHANGE OF ADDRESS ON ELECTION DAY AND VOTE IN THE OFFICE OF THE COUNTY BOARD OF ELECTIONS OR AT ANOTHER LOCATION DESIGNATED BY THE BOARD, is returned for concurrence in Senate amendment and is placed on the Calendar for May 25, 1983.

H. B. 540, A BILL TO BE ENTITLED AN ACT TO INCLUDE THREE SATELLITE AREAS WITHIN THE CORPORATE LIMITS OF THE CITY OF LENOIR, is returned for concurrence in Senate amendment, which is ruled to be material, and is placed on the Calendar for May 25, 1983.

Committee Substitute for H. B. 796, A BILL TO BE ENTITLED AN ACT TO PERMIT A LOCAL SCHOOL ADMINISTRATIVE UNIT WITH MORE THAN 70,000

STUDENTS TO EXTEND THE PROBATIONARY PERIOD FOR NONTENURED TEACHERS, is returned for concurrence in Senate amendment and is placed on the Calendar for May 25, 1983.

Committee Substitute for S. B. 40, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 66, ARTICLE 19, TO CLARIFY THE SCOPE OF THE BUSINESS OPPORTUNITY SALES ACT, is read the first time and is referred to the Committee on Judiciary No. 4.

S. B. 404, A BILL TO BE ENTITLED AN ACT TO CLARIFY STATUTORY PROVISIONS REGARDING GOOD CONDUCT TIME CREDITS IN REDUCTION OF PRISON SENTENCES, is read the first time and is referred to the Committee on Corrections.

S. B. 427, A BILL TO BE ENTITLED AN ACT TO CREATE THE AUCTIONEER RECOVERY FUND, is read the first time and is referred to the Committee on State Government.

S. B. 440, A BILL TO BE ENTITLED AN ACT TO ALLOW THE LINE FOR INCOME TAX CHECKOFF TO THE NORTH CAROLINA ELECTION CAMPAIGN FUND TO APPEAR ANYWHERE ON THE FRONT PAGE OF THE RETURN, is read the first time and is referred to the Committee on Finance.

S. B. 441, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CEILING ON THE NORTH CAROLINA ELECTION CAMPAIGN FUND SO AS TO ALLOW ALL MONEY DESIGNATED BY TAXPAYERS TO BE USED, is read the first time and is referred to the Committe on Finance.

S. B. 443, A BILL TO BE ENTITLED AN ACT TO EXTEND FOR TWO YEARS THE TIME FOR COMPLIANCE BY INSURERS WITH THE LAW REGARDING THE AMOUNT OF CAPITAL AND/OR SURPLUS REQUIRED FOR THE FORMATION AND ORGANIZATION OF COMPANIES, is read the first time and is referred to the Committee on Insurance.

S. J. R. 468, A JOINT RESOLUTION REQUESTING THE STATE'S CONGRESSIONAL DELEGATION TO ENCOURAGE THE UNITED STATES FISH AND WILDLIFE SERVICE TO ADJUST THE FEDERAL BIRD HUNTING SEASON LIMITATIONS SO AS TO RESTORE TO THE WATERFOWL HUNTERS OF NORTH CAROLINA THE HUNTING DAYS LOST BY REASON OF THE STATE'S PROHIBITION OF HUNTING WITH FIREARMS ON SUNDAY, is read the first time and is referred to the Committee on Rules and Operation of the House.

S. B. 91, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ALL OCCUPATIONAL LICENSING BOARDS MAY RECEIVE THE INTEREST ON FUNDS DEPOSITED BY THEM WITH THE STATE TREASURER FOR INVESTMENT, is read the first time and is referred to the Committee on Courts and Administration of Justice.

S. B. 372, A BILL TO BE ENTITLED AN ACT TO ASSURE THAT IF THE WESTERN RESIDENCE OF THE GOVERNOR IN ASHEVILLE IS DAMAGED OR DESTROYED, IT WILL BE REPAIRED, is read the first time and is referred to the Committee on State Properties.

S. B. 413, A BILL TO BE ENTITLED AN ACT TO DELETE THE REQUIREMENT THAT COUNTY SUPERINTENDENTS OF SCHOOLS BE APPROVED BY

THE STATE BOARD OF EDUCATION AND THE SUPERINTENDENT OF PUBLIC INSTRUCTION, is read the first time and is referred to the Committee on Education.

CALENDAR

Action is taken on the following:

H. B. 883, A BILL TO BE ENTITLED AN ACT TO REGULATE THE USE OF FIREARMS ON PUBLIC HIGHWAYS IN THE COUNTIES OF HOKE AND ROBESON.

On motion of Representative Hasty, the House concurs in the Senate amendment and the bill is ordered enrolled.

Committee Substitute for H. B. 560, A BILL TO BE ENTITLED AN ACT TO EMPOWER WASHINGTON COUNTY HOSPITAL AND CHOWAN HOSPITAL TO USE ATTACHMENT AND GARNISHMENT PROCEDURES FOR COLLECTING UNPAID BILLS.

Representative James calls the previous question on the passage of the bill.

Representative Pulley moves that the call for the previous question be postponed indefinitely.

On motion of Representative James, seconded by Representative Barker, the motion to postpone indefinitely the call for the previous question is tabled by electronic vote (58-45).

The motion to call the previous question on the passage of the bill is sustained by electronic vote (66-37).

Now the question before the House is the passage of the bill on its third reading.

The bill passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Allran, Barbee, Barker, Barnes, Beam, Beard, Berry, Black, Brawley, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Coble, Colton, J. W. Crawford, N. J. Crawford, Creecy, Diamont, Easterling, Economos, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Greenwood, Grimsley, Hackney, Hasty, Hayden, Helms, Hightower, Holmes, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jones, Lacey, Lambeth, Lee, Lilley, Locks, Lutz, Matthews, Mauney, Mavretic, Murphy, Musselwhite, Nash, Poovey, Quinn, Redding, Roberts, Robinson, Seymour, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, and B. Woodard — 80.

Voting in the negative: Representatives Ballance, Beall, Blue, Bowen, Brannan, Burnley, Cochrane, Edwards, Hauser, Holt, Jeralds, Keesee, Kennedy, Lancaster, McAlister, McDowell, Miller, Nesbitt, Owens, Payne, Pool, Pulley, Slaughter, Spaulding, C. Woodard, and Wright — 26.

Excused absences: Representatives Anderson, DeVane, Gist, Ligon, Rabon, and Stamey — 6.

Committee Substitute for H. B. 965, A BILL TO BE ENTITLED AN ACT MAKING TECHNICAL AMENDMENTS TO THE PRIVATE PLACEMENT EXEMPTION FOR SECURITIES OFFERINGS AND ALLOWING THE SECRETARY OF STATE

TO ESTABLISH LIMITED OFFERING EXEMPTIONS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Allran, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Greenwood, Grimsley, Hasty, Hauser, Hayden, Helms, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, Jarrell, Jeralds, Jones, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Payne, Pool, Poovey, Pulley, Quinn, Redding, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 105.

Voting in the negative: None.

Excused absences: Representatives Anderson, DeVane, Gist, Ligon, Rabon, and Stamey — 6.

Committee Substitute for H. B. 318, A BILL TO BE ENTITLED AN ACT TO REWRITE THE PUBLIC HEALTH LAWS,

On motion of Representative B. Woodard, Committee Amendment No. 1 is adopted.

Representative Hackney offers Amendment No. 2 which is adopted by electronic vote (94-10).

Representative Hackney offers Amendment No. 3 which is adopted.

On motion of Representative Mavretic, the bill is ordered engrossed and re-referred to the Committee on Appropriations.

Committee Substitute No. 2 for H. B. 494, A BILL TO BE ENTITLED AN ACT TO RAISE COSTS AND FEES IN THE GENERAL COURTS OF JUSTICE.

Representative Helms offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Auman, Ballance, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Coble, Colton, Cook, J. W. Crawford, N. J. Crawford, Diamont, Easterling, Edwards, Enloe, Bob Etheridge, Fenner, Foster, Fulcher, Fussell, Gillam, Hackney, Hasty, Hauser, Hayden, Helms, Holt, Hudson, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Pulley, Quinn, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 89.

Voting in the negative: Representatives Allran, Cochrane, Grimsley, C. Hughes, J. Hughes, Poovey, and Redding — 7.

Excused absences: Representatives Anderson, DeVane, Gist, Ligon, Rabon, and Stamey — 6.

H. B. 914, A BILL TO BE ENTITLED AN ACT TO ENABLE CITIES, TOWNS, AND COUNTIES TO PROVIDE FOR NEIGHBORHOOD, COMMUNITY AND RURAL PRESERVATION.

On motion of Representative Lilley, consideration of the bill is postponed until May 25, 1983.

H. B. 906, A BILL TO BE ENTITLED AN ACT TO SET AN EARLIER FILING DEADLINE FOR CITIES THAT USE THE NONPARTISAN PLURALITY METHOD OF ELECTION.

On motion of Representative Gentry, consideration of the bill is postponed until May 25, 1983.

H. B. 1044, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL ADMINISTRATIVE BOARDS OF COMMUNITY COLLEGES TO ESTABLISH COOPERATIVE PROGRAMS WITH HIGH SCHOOLS.

On motion of Representative Huskins, the vote by which Amendment No. 2 was adopted on May 18, 1983 is reconsidered. The Speaker rules that the voice vote carries by a two-thirds majority.

Representative James withdraws Amendment No. 2.

Representative Huskins offers new Amendment No. 2 which is adopted.

Representative Huskins calls the previous question on the passage of the bill, and the call is sustained.

The bill, as amended, passes its second reading by electronic vote (102-0).

Representative Diamont objects to the third reading. The bill remains on the Calendar.

Representative Barbee presiding.

Committee Substitute for H. B. 445, A BILL TO BE ENTITLED AN ACT TO REQUIRE LIGHTED HEADLAMPS ON MOTOR VEHICLES WHEN THE WINDSHIELD WIPERS ARE ON.

Representative Hayden offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (63-27), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Committee Substitute for H. B. 460, A BILL TO BE ENTITLED AN ACT TO PROHIBIT TRANSFERS OF HOMESITES FOR PURPOSES OF MEDICAL ASSISTANCE ELIGIBILITY PRIOR TO ENTERING A LONG TERM CARE FACILITY.

Representative Cook moves that the bill be re-referred to the Committee on Appropriations and this motion fails by electronic vote (39-46).

Representative Cook moves that the bill be re-referred to the Committee on Judiciary No. 1 and this motion fails by electronic vote (26-69).

Representative Brennan calls the previous question on the passage of the bill, and the call is sustained.

The bill passes its second reading by electronic vote (80-13).

Representative Payne objects to the third reading. The bill remains on the Calendar.

Committee Substitute No. 2 for H.B. 800, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 65 RELATING TO FUNERAL AND BURIAL TRUST FUNDS, passes its second reading, by electronic vote (81-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 474, A BILL TO BE ENTITLED AN ACT TO ALLOW ATTORNEY'S FEES AWARD IN CERTAIN CIVIL CASES.

Representative Musselwhite offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (79-3), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 493, A BILL TO BE ENTITLED AN ACT TO IMPLEMENT THE CONSTITUTIONAL AMENDMENT REGARDING APPEAL OF UTILITIES COMMISSION ORDERS, passes its second reading, by electronic vote (89-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 758, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR COURT REVIEW OF PLACEMENT FOLLOWING CERTAIN TERMINATIONS OF PARENTAL RIGHTS, passes its second reading, by electronic vote (86-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 1034, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROCEDURES USED UNDER THE FAIR SENTENCING ACT WHEN SEVERAL CRIMES ARE CONSOLIDATED FOR JUDGMENT, passes its second reading, by electronic vote (87-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 1042, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN FORECLOSURE SALES, passes its second reading, by electronic vote (91-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

On motion of Representative James, H. B. 962, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AN EQUINE TECHNOLOGY PROGRAM AT MARTIN COMMUNITY COLLEGE, is withdrawn from the Committee on Agriculture and is re-referred to the Committee on Appropriations.

On motion of Representative Quinn, the vote by which H. B. 831, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PRESUMPTION IN FAVOR OF COMMUNITY PENALTIES FOR CERTAIN FELONS, failed to pass its second reading is reconsidered by electronic vote (53-43).

On motion of Representative Quinn, the bill is re-referred to the Committee on Corrections by electronic vote (86-4).

H. B. 58, A BILL TO BE ENTITLED AN ACT TO AMEND THE GROUP HEALTH INSURANCE CONTINUATION AND CONVERSION PRIVILEGES LAW WITH REGARD TO CONVERSION POLICY RATE FILINGS.

On motion of Representative Seymour, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (89-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

On motion of Representative Economos, H. B. 1028, A BILL TO BE ENTITELD AN ACT TO ALLOW PRIVATE PEER REVIEW IN DOMICILIARY HOMES, is withdrawn from the Committee on Judiciary No. 2 and is re-referred to the Committee on Aging.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. B. 75, AN ACT REGARDING INVOLUNTARY COMMITMENT OF PERSONS FOUND INCAPABLE OF PROCEEDING OR NOT GUILTY BY REASON OF INSANITY.

H. B. 789, AN ACT TO AUTHORIZE A UNIT OF LOCAL GOVERNMENT TO PROVIDE A DISCOUNT FOR SPECIAL ASSESSMENT PAYMENTS MADE WITHIN THIRTY DAYS OF THE DUE DATE.

On motion of Representative Hunt, seconded by Representative Gentry, the House adjourns to reconvene May 25, 1983 at 1:30 p.m.

NINETY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, May 25, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Fussell.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of May 24 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Brannan, Edwards, Holt, Ligon, Keesee, Musselwhite, and Stamey for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Lilley for the Committee on Local Government No. 1:

H. B. 884, A BILL TO BE ENTITLED AN ACT TO REQUIRE A REFERENDUM ON ANY QUESTION OF MERGER OF SCHOOL ADMINISTRATIVE UNITS IN UNION COUNTY, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for May 27, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 1081, A BILL TO BE ENTITLED AN ACT TO EMPOWER LENOIR MEMORIAL HOSPITAL AND STOKES-REYNOLDS MEMORIAL HOSPITAL TO USE ATTACHMENT AND GARNISHMENT PROCEDURES FOR COLLECTING UNPAID BILLS, with a favorable report, as amended.

H. B. 1087, A BILL TO BE ENTITLED AN ACT TO EMPOWER ONSLOW MEMORIAL HOSPITAL TO USE ATTACHMENT AND GARNISHMENT PROCEDURES FOR COLLECTING UNPAID BILLS, with a favorable report.

H. B. 1104, A BILL TO BE ENTITLED AN ACT TO REQUIRE EXTRATERRITORIAL REPRESENTATION ON THE PLANNING AGENCY WHEN MATTERS CONCERNING THE EXTRATERRITORIAL AREA ARE ACTED UPON, with a favorable report.

By Representative McDowell for the Committee on Corrections:

H. B. 642, A BILL TO BE ENTITLED AN ACT TO CLARIFY STATE RESPONSIBILITY FOR JAILER TRAINING AND CERTIFICATION, with a favorable report.

H. B. 920, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DEPARTMENT OF CORRECTION TO IDENTIFY FORMER MENTAL HEALTH PATIENTS ENTERING THE CORRECTIONAL SYSTEM, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for May 27, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 1064, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CORRECTION TO CONTRACT WITH THE GREENE COUNTY UNIT OF LENOIR COMMUNITY COLLEGE FOR EDUCATIONAL PROGRAMS AT THE EASTERN CORRECTIONAL CENTER AT MAURY, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

By Representative Fussell for the Committee on Highway Safety:

H. B. 198, A BILL TO BE ENTITLED AN ACT TO EXEMPT NONRESIDENT MILITARY DEPENDENTS FROM DRIVER'S LICENSE REQUIREMENTS, with recommendation that the House do not concur; request conferees.

On motion of Representative Fussell, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Fussell, the House does not concur in the Senate amendment and conferees are requested.

The Speaker announces the appointment of Representatives Fussell, Chairman; Lancaster and Church as conferees and the Senate is so notified by Special Message.

Senate Committee Substitute for H. B. 199, A BILL TO BE ENTITLED AN ACT TO PERMIT THE ODOMETER DISCLOSURE TO BE MADE ON THE CERTIFICATE OF TITLE, with recommendation that the House concur.

On motion of Representative Fussell, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Fussell, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

H. B. 930, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PLACEMENT OF WARNING SIGNS NEAR LOCATIONS WHERE DRIVER'S LICENSE CHECKPOINTS ARE ESTABLISHED, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for May 27, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 970, A BILL TO BE ENTITLED AN ACT REGARDING SUSPENSION OF A DRIVER'S LICENSE FOR FAILURE TO MAINTAIN THE REQUIRED SECURITY OR INSURANCE, with a favorable report, as amended.

H. B. 974, A BILL TO BE ENTITLED AN ACT TO PROHIBIT COLORED LICENSE PLATE COVERS, with a favorable report.

By Representative Church for the Committee on State Government:

H. B. 115, A BILL TO BE ENTITLED AN ACT TO MANDATE THE LICENSING OF RESIDENTIAL GROUP CARE FACILITIES FOR CHILDREN, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for May 27, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 733, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE LICENSING OF FACILITIES FOR THE MENTALLY ILL, THE MENTALLY RETARDED AND SUBSTANCE ABUSERS, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for May 27, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Hightower for the Committee on Insurance:

H. B. 1000, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM AMOUNT MOTOR CLUBS MAY REIMBURSE FOR EMERGENCY ROAD SERVICE, with a favorable report, as amended.

By Representative McAlister for the Committee on Water and Air Resources:

H. B. 443, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE REAL PROPERTY MARKETABLE TITLE ACT APPLIES TO MINERAL RIGHTS, AND THAT MINERAL RIGHTS WHICH ARE NOT LISTED FOR TAXATION ARE NOT EFFECTIVE AGAINST THE SURFACE OWNER OF THE LAND, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for May 27, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 787, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE USE OF COMMERCIAL WASTEWATER TREATMENT OPERATION FIRMS, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for June 1, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 943, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE CONTAMINATION OR ADULTERATION OR OTHER INTENTIONAL TAMPERING WITH THE PUBLIC WATER SYSTEM, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for May 27, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Seymour for the Committee on Public Utilities:

S. B. 304, A BILL TO BE ENTITLED AN ACT TO ALLOW CITIES AND COUNTIES TO PARTICIPATE IN THE STATE TELEPHONE NETWORK, with a favorable report.

By Representative Lutz for the Committeee on Local Government No. 2:

H. B. 140, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF CAJAH MOUNTAIN IN CALDWELL COUNTY, with an indefinite postponement report.

H. B. 631, A BILL TO BE ENTITLED AN ACT RELATING TO THE GRANTING OF SPECIAL USE PERMITS, CONDITIONAL USE PERMITS AND OTHER MATTERS IN MECKLENBURG COUNTY AND THE CITY OF CHARLOTTE, with a favorable report.

H. B. 742, A BILL TO BE ENTITLED AN ACT RELATING TO THE ELECTION OF TRUSTEES OF SMITHVILLE TOWNSHIP'S J. ARTHUR DOSHER MEMORIAL HOSPITAL, with a favorable report.

H. B. 803, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 115C-521 CONCERNING THE IMPROVEMENT, RENOVATION, MAINTENANCE AND REPAIR OF SCHOOL BUILDINGS UPON SITES LEASED TO THE BUNCOMBE COUNTY BOARD OF EDUCATION, with an unfavorable report.

H. B. 847, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF HOLDEN BEACH TO ASSESS FOR BEACH ACCESSWAYS, with a favorable report.

H. B. 848, A BILL TO BE ENTITLED AN ACT TO CONVERT TO FEE SIMPLE CERTAIN NINETY-NINE YEAR LEASES OF THE TOWN OF SMITHVILLE OR THE CITY OF SOUTHPORT, with a favorable report.

S. B. 286, A BILL TO BE ENTITLED AN ACT TO EXEMPT GASTON COUNTY FROM CERTAIN PROCEDURAL REQUIREMENTS ON DISPOSAL OF LAND AS AN INDUSTRIAL PARK, with a favorable report.

S. B. 349, A BILL TO BE ENTITLED AN ACT TO AMEND THE ENABLING ACT OF THE GREENSBORO-HIGH POINT AIRPORT AUTHORITY, with a favorable report.

By Representative Lancaster for the Committee on Judiciary No. 3:

H. B. 985, A BILL TO BE ENTITLED AN ACT PROHIBITING THE DUPLICATION BY THE DIRECT MOLDING PROCESS OF MANUFACTURED PARTS, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for May 27, 1983. The original bill if placed on the Unfavorable Calendar.

By Representative Helms for the Committee on Courts and Administration of Justice:

H. B. 714, A BILL TO BE ENTITLED AN ACT TO PROVIDE A WITNESS ASSISTANCE PROGRAM IN ALL DISTRICTS OF THE STATE TO INCREASE THE CONVENIENCE OF COURT APPEARANCE BY CRIME VICTIMS AND OTHER WITNESSES, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title, and recommendation that the bill be re-referred to the Committee on Appropriations.

The substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

On motion of Representative Colton, H. B. 382, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A GRANT-IN-AID FOR ARCHEOLOGICAL INVESTIGATIONS AT SITE 31NP93, ALSO KNOWN AS THE TOWN OF PRINCETON, NORTHAMPTON COUNTY, is withdrawn from the Committee on Cultural Resources and is re-referred to the Committee on Appropriations.

On motion of Representative Colton, H. B. 678, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO RESTORE THE MARKS HOUSE IN STANLY COUNTY, is withdrawn from the Committee on Cultural Resources and is re-referred to the Committee on Appropriations.

On motion of Representative Colton, H. B. 703, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR FORT MACON STATE PARK, is withdrawn from the Committee on Cultural Resources and is re-referred to the Committee on Appropriations.

On motion of Representative Colton, H. B. 715, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE INSTALLATION OF A CLIMATE CONTROL SYSTEM AND SECURITY SYSTEM IN THE CATAWBA COUNTY HISTORICAL MUSEUM, IN NEWTON, is withdrawn from the Committee on Cultural Resources and is re-referred to the Committee on Appropriations.

On motion of Representative Colton, H. B. 728, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE TOWN OF GRIFTON TO DISPLAY PAINTINGS OF HISTORICAL INTEREST, is withdrawn from the Committee on Cultural Resources and is re-referred to the Committee on Appropriations.

On motion of Representative Colton, H. B. 741, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE TOWN OF AYDEN TO DISPLAY PAINTINGS OF HISTORICAL INTEREST, is withdrawn from the Committee on Cultural Resources and is re-referred to the Committee on Appropriations.

On motion of Representative Colton, H. B. 820, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AN INVENTORY OF HISTORICALLY AND ARCHITECTURALLY SIGNIFICANT STRUCTURES IN STOKES COUNTY, is withdrawn from the Committee on Cultural Resources and is re-referred to the Committee on Appropriations.

On motion of Representative Colton, H. B. 829, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE RESTORATION OF THE HUGH TORANCE HOUSE AND STORE IN MECKLENBURG COUNTY, NORTH CAROLINA, is withdrawn from the Committee on Cultural Resources and is re-referred to the Committee on Appropriations.

On motion of Representative Colton, H. B. 846, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE MATCHING FUNDS FOR THE REHABILITATION OF THE OLD SEABOARD COASTLINE PASSENGER DEPOT IN HAMLET, is withdrawn from the Committee on Cultural Resources and is re-referred to the Committee on Appropriations.

On motion of Representative Colton, H. B. 859, A BILL TO BE ENTITLED AN ACT FOR THE DEVELOPMENT OF PUBLIC RADIO IN NEW HANOVER COUNTY, NORTH CAROLINA, is withdrawn from the Committee on Cultural Resources and is re-referred to the Committee on Appropriations.

On motion of Representative Colton, H. B. 860, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONTINUED RESTORATION OF THE deROSSET HOUSE IN WILMINGTON, is withdrawn from the Committee on Cultural Resources and is re-referred to the Committee on Appropriations.

On motion of Representative Colton, H. B. 861, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST IN THE RESTORATION OF THE NEW HANOVER COUNTY COURTHOUSE, is withdrawn from the Committee on Cultural Resources and is re-referred to the Committee on Appropriations.

On motion of Representative Colton, H. B. 867, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE SECOND ANNUAL BRIGHT LEAF HOEDOWN IN CASWELL COUNTY, is withdrawn from the Committee on Cultural Resources and is re-referred to the Committee on Appropriations.

On motion of Representative Colton, H. B. 872, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE COMPLETION OF THE RESTORATION OF THE JOEL LANE HOUSE KITCHEN IN RALEIGH, is withdrawn from the Committee on Cultural Resources and is re-referred to the Committee on Appropriations.

On motion of Representative Colton, H. B. 876, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CHEROKEE COUNTY HISTORICAL MUSEUM, is withdrawn from the Committee on Cultural Resources and is re-referred to the Committee on Appropriations.

On motion of Representative Colton, H. B. 877, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS AND REPAIRS TO THE BUILDINGS OF THE ALAMANCE COUNTY HISTORICAL MUSEUM, INC., is withdrawn from the Committee on Cultural Resources and is re-referred to the Committee on Appropriations.

On motion of Representative Colton, H. B. 889, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE HAMPTON MARINER'S MUSEUM, is withdrawn from the Committee on Cultural Resources and is re-referred to the Committee on Appropriations.

On motion of Representative Colton, H. B. 895, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE LAKELAND ARTS CENTER, is withdrawn from the Committee on Cultural Resources and is re-referred to the Committee on Appropriations.

On motion of Representative Colton, H. B. 903, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A CLIMATE CONTROL SYSTEM FOR THE PENDER COUNTY HISTORICAL MUSEUM, is withdrawn from the Committee on Cultural Resources and is re-referred to the Committee on Appropriations.

On motion of Representative Colton, H. B. 927, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE CHEROKEE HISTORICAL ASSOCIATION, INC., FOR THE OUTDOOR DRAMA, "UNTO THESE HILLS", is withdrawn from the Committee on Cultural Resources and is re-referred to the Committee on Appropriations.

On motion of Representative Colton, H. B. 929, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES TO RENOVATE THE OLD ART MUSEUM BUILDING, 107 EAST MORGAN STREET, AS THE INTERPRETATION/EDUCATION CENTER OF THE NORTH CAROLINA MUSEUM OF HISTORY, is withdrawn from the Committee on Cultural Resources and is re-referred to the Committee on Appropriations.

On motion of Representative Colton, H. B. 931, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A RECREATIONAL PARK IN PILOT MOUNTAIN, is withdrawn from the Committee on Cultural Resources and is re-referred to the Committee on Appropriations.

On motion of Representative Colton, H. B. 940, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE OLD CASWELL COUNTY COURTHOUSE IN YANCEYVILLE, is withdrawn from the Committee on Cultural Resources and is re-referred to the Committee on Appropriations.

On motion of Representative Colton, H. B. 1020, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS TO THE BLOWING ROCK ARTS CENTER IN WATAUGA COUNTY, is withdrawn from the Committee on Cultural Resources and is re-referred to the Committee on Appropriations.

On motion of Representative Colton, H. B. 1024, A BILL TO BE ENTITLED AN ACT APPROPRIATING FUNDS TO THE FRANK HOLDER DANCE COMPANY, is withdrawn from the Committee on Cultural Resources and is re-referred to the Committee on Appropriations.

On motion of Representative Colton, H. B. 1025, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE RESTORATION OF THE TRANSYLVANIA COUNTY COURTHOUSE, is withdrawn from the Committee on Cultural Resources and is re-referred to the Committee on Appropriations.

On motion of Representative Colton, H. B. 1027, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE SMITH-MCDOWELL MUSEUM IN BUNCOMBE COUNTY, is withdrawn from the Committee on Cultural Resources and is re-referred to the Committee on Appropriations.

On motion of Representative Colton, H. B. 1030, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE REHABILITATION OF THE RICHARD MENDENHALL PLANTATION IN GUILFORD COUNTY, is withdrawn from the Committee on Cultural Resources and is re-referred to the Committee on Appropriations.

On motion of Representative Colton, H. B. 1078, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE JOHN CARSON HOUSE AT PLEASANT GARDENS IN MCDOWELL COUNTY, is withdrawn from the Committee on Cultural Resources and is re-referred to the Committee on Appropriations.

On motion of Representative Colton, H. B. 1084, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS TO THE GASTON COUNTY MUSEUM OF ART AND HISTORY IN DALLAS, is withdrawn from the Committee on Cultural Resources and is re-referred to the Committee on Appropriations.

On motion of Representative Colton, H. B. 1096, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE RESTORATION OF THE ALEXANDER DICKSON HOUSE IN HILLSBOROUGH, NORTH CAROLINA, is withdrawn from the Committee on Cultural Resources and is re-referred to the Committee on Appropriations.

On motion of Representative Colton, H. B. 1097, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE OLD TOWN CEMETERY IN HILLSBOROUGH, NORTH CAROLINA, is withdrawn from the Committee on Cultural Resources and is re-referred to the Committee on Appropriations.

On motion of Representative Colton, H. B. 1102, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PURCHASE AND RENOVATE THE OLD ROCKINGHAM THEATER, is withdrawn from the Committee on Cultural Resources and is re-referred to the Committee on Appropriations.

On motion of Representative Colton, H. B. 1103, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE ESTABLISHMENT OF THE THOMAS WOLFE MEMORIAL STATE HISTORIC SITE VISITOR CENTER, is withdrawn from the Committee on Cultural Resources and is re-referred to the Committee on Appropriations.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Payne, Hunter, and Adams:

H. B. 1119, A BILL TO BE ENTITLED AN ACT TO INCREASE FROM TEN TO THIRTY THOUSAND DOLLARS THE THRESHOLD AT WHICH PUBLIC BODIES MUST REQUIRE PAYMENT AND PERFORMANCE BONDS OF CONTRACTORS AWARDED PUBLIC CONSTRUCTION CONTRACTS AND TO PERMIT PUBLIC BODIES TO REQUIRE BONDS FOR PUBLIC CONTRACTS OF LESS THAN THIRTY THOUSAND DOLLARS, is referred to the Committee on Judiciary No. 1.

By Representatives Lilley, Anderson, and Barker:

H. B. 1120, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE LOWER COASTAL PLAIN TOBACCO RESEARCH STATION AT KINSTON, is referred to the Committee on Appropriations.

By Representative Bob Etheridge:

H. B. 1121, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR REHABILITATION OF THE JAMES A. CAMPBELL HOUSE, BUIES CREEK, is referred to the Committee on Appropriations.

By Representatives Bob Etheridge and Nesbitt:

H. B. 1122, A BILL TO BE ENTITLED AN ACT TO CREATE THE NEW TECHNOLOGY JOBS ACT, is referred to the Committee on Small Business.

By Representatives Greenwood, Brown, Colton, N. J. Crawford, Creecy, Enloe, Gentry, Gillam, Grimsley, James, Jordan, Lacey, Lambeth, Lilley, Locks, Lutz, Nesbitt, Tyson, and B. Woodard:

H. B. 1123, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR ADDITIONAL FACILITIES AT THE WESTERN NORTH CAROLINA FARMERS MARKET, is referred to the Committee on Appropriations.

By Representatives Gillam, Bowen, Chapin, DeVane, James, Nesbitt, Owens, Payne, Redding, and Wicker:

H. B. 1124, A BILL TO BE ENTITLED AN ACT TO AMEND UNIFORM JAIL FEES, is referred to the Committee on Corrections.

By Representatives Seymour, Burnley, Coble, Jarrell, and Keesee:

H. B. 1125, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES FOR A GRANT TO THE CAROLINA THEATRE IN GREENSBORO, is referred to the Committee on Appropriations.

On motion of Representative Auman, the rules are suspended and the following is introduced and read the first time:

By Representative Auman:

H. J. R. 1135, A JOINT RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.

On motion of Representative Auman, the rules are suspended and the resolution is placed before the House for immediate consideration.

The resolution passes its second reading by electronic vote (91-0) and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for S. B. 184, A BILL TO BE ENTITLED AN ACT TO ALLOW INCLUSION OF CERTAIN JUVENILE RECORDS IN PRE-SENTENCE REPORTS, is read the first time and is referred to the Committee on Judiciary No. 4.

S. B. 411, A BILL TO BE ENTITLED AN ACT TO PERMIT THE ISSUANCE OF REVENUE BONDS AND REVENUE NOTES BY THE STATE OF NORTH CAROLINA AND AGENCIES THEREOF AS HEREINAFTER AUTHORIZED BY THE GENERAL ASSEMBLY, is read the first time and is referred to the Committee on Finance.

H. B. 363, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE WILDLIFE RESOURCES COMMISSION TO CONDUCT MANAGED HUNTS ON GAME LANDS AND TO CHARGE FEES FOR PROCESSING APPLICATIONS AND USE OF RELATED FACILITIES, is returned for concurrence in Senate amendment and is placed on the Calendar for May 26, 1983.

CALENDAR

Action is taken on the following:

H. B. 540, A BILL TO BE ENTITLED AN ACT TO INCLUDE THREE SATELLITE AREAS WITHIN THE CORPORATE LIMITS OF THE CITY OF LENOIR.

On motion of Representative Robinson, the House concurs in the material Senate amendment on its second roll call reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Auman, Barker, Barnes, Beall, Beard, Berry, Blue, Bowen, Brawley, Brennan, Brubaker, Bumgardner, Burnley, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, Diamont, Easterling, Economos, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Fletcher, Foster, Gentry, Gillam, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Holmes, Hudson, J. Hughes, Hunt, Huskins, Jarrell, Jeralds, Jones, Jordan, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mavretic, Miller, Murphy, Nash, Nesbitt, Payne, Pool, Poovey, Pulley, Quinn, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Warren, Wicker, Womble, C. Woodard, and Wright — 87.

Voting in the negative: Representative C. Hughes.

Excused absences: Representatives Brannan, Edwards, Holt, Hunter, Keesee, Ligon, Musselwhite, Stamey, and B. Woodard — 9.

H. B. 201, A BILL TO BE ENTITLED AN ACT TO REQUIRE A MAJORITY OF LANDOWNERS FOR THE CREATION OF A RURAL FIRE PROTECTION DISTRICT.

On motion of Representative Gentry, the House concurs in the Senate amendment and the bill is ordered enrolled.

Committee Substitute for H. B. 236, A BILL TO BE ENTITLED AN ACT REQUIRING DEFERRAL OF IMPRISONMENT OF PREGNANT DEFENDANTS CONVICTED OF NONVIOLENT CRIMES.

On motion of Representative C. Woodard, the House concurs in the Senate amendment and the bill is ordered enrolled.

Committee Substitute for H. B. 295, A BILL TO BE ENTITLED AN ACT TO PERMIT A REGISTERED VOTER WHO HAS MOVED FROM ONE PRECINCT TO ANOTHER WITHIN THE SAME COUNTY MORE THAN THIRTY DAYS BEFORE AN ELECTION TO RECORD A CHANGE OF ADDRESS ON ELECTION DAY AND VOTE IN THE OFFICE OF THE COUNTY BOARD OF ELECTIONS OR AT ANOTHER LOCATION DESIGNATED BY THE BOARD.

On motion of Representative Barnes, the House concurs in the Senate amendment and the bill is ordered enrolled.

Committee Substitute for H. B. 796, A BILL TO BE ENTITLED AN ACT TO PERMIT A LOCAL SCHOOL ADMINISTRATIVE UNIT WITH MORE THAN 70,000 STUDENTS TO EXTEND THE PROBATIONARY PERIOD FOR NONTENURED TEACHERS.

On motion of Representative Berry, the House concurs in the Senate amendment and the bill is ordered enrolled.

Committee Substitute No. 2 for H. B. 494, A BILL TO BE ENTITLED AN ACT TO RAISE COSTS AND FEES IN THE GENERAL COURTS OF JUSTICE.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brawley, Brennan, Brown, Brubaker, Bumgardner, Church, Clark, Coble, Colton, N. J. Crawford, DeVane, Diamont, Easterling, Economos, Enloe, Fenner, Fletcher, Foster, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Holmes, Hudson, Hunt, Huskins, James, Jarrell, Jones, Jordan, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Nash, Nesbitt, Owens, Payne, Pool, Pulley, Quinn, Rhodes, Roberts, Robinson, Seymour, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Wicker, Womble, and Wright — 82.

Voting in the negative: Representatives Allran, Cochrane, C. Hughes, Poovey, and Redding — 5.

Excused absences: Representatives Brannan, Edwards, Holt, Hunter, Keesee, Ligon, Musselwhite, Stamey, and B. Woodard — 9.

H. B. 1049, A BILL TO BE ENTITLED AN ACT TO ALLOW CITIES AND COUNTIES TO LEVY PROPERTY TAXES FOR INDUSTRIAL DEVELOPMENT AND ECONOMIC DEVELOPMENT.

Representative Lilley calls the previous question on the passage of the bill, and the call is sustained by electronic vote (86-9).

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Allran, Anderson, Barker, Beam, Beard, Bowen, Brawley, Brennan, Brown, Bumgardner, Chapin, Coble, Colton, Cook, N. J. Crawford, Easterling, Economos, Bruce Ethridge, Evans, Fenner, Foster, Fussell, Gillam, Greenwood, Hasty, Hauser, Helms, Holmes, Hudson, J. Hughes, Hunt, Huskins, James, Jones, Jordan, Kennedy, Lacey, Lambeth, Lancaster, Lilley, Locks, Mauney, Mavretic, Murphy, Nesbitt, Owens, Payne, Poovey, Pulley, Quinn, Rabon, Redding, Robinson, Seymour, Spoon, Tyson, Varner, Warren, C. Woodard, and Wright — 60.

Voting in the negative: Representatives Adams, Auman, Ballance, Barbee, Barnes, Beall, Berry, Blue, Brubaker, Burnley, Childress, Church, Clark, Cochrane, J. W. Crawford, DeVane, Diamont, Enloe, Fulcher, Gentry, Gist, Grimsley, Hackney, Hayden, C. Hughes, Jarrell, Lee, McDowell, Matthews, Miller, Nash, Pool, Rhodes, Roberts, Slaughter, Spaulding, Tennille, Thomas, and Womble — 39.

Excused absences: Representatives Brannan, Edwards, Holt, Hunter, Keesee, Ligon, Musselwhite, Stamey, and B. Woodard — 9.

House Committee Substitute for Senate Committee Substitute for S. B. 83, A BILL TO BE ENTITLED AN ACT SETTING STANDARDS FOR QUALIFICATION, TRAINING AND EXPERIENCE FOR PERSONS SEEKING TO REPRESENT THEMSELVES TO THE PUBLIC AS CERTIFIED SOCIAL WORKERS; CREATING A STATE BOARD OF EXAMINERS FOR SOCIAL WORKERS; DEFINING THE FUNCTIONS AND DUTIES OF THAT BOARD; AND PROVIDING FOR PENALTIES.

Representative Roberts offers Amendment No. 1 which is adopted.

Representative Miller offers Amendment No. 2 which is adopted.

Representative Lancaster calls the previous question on the passage of the bill.

Representative Blue moves that the call for the previous question be postponed indefinitely.

On motion of Representative Lancaster, seconded by Representative Lilley, the motion to postpone indefinitely the call for the previous question is tabled by electronic vote (61-41).

The motion to call the previous question is sustained by electronic vote (70-32).

Now the question before the House is the passage of the bill on its second reading.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Anderson, Auman, Barbee, Barker, Barnes, Beall, Beam, Beard, Brawley, Brennan, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Diamont, Easterling, Economos, Enloe, Bruce Ethridge, Evans, Fenner, Foster, Fulcher, Fussell, Gentry, Greenwood, Hackney, Hauser, Hayden, Helms, Holmes, Hudson, C. Hughes, Hunt, Huskins, James, Jarrell, Jones, Kennedy, Lambeth, Lancaster, Lee, Lilley, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Nash, Nesbitt, Payne, Pulley, Rabon, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Womble, C. Woodard, and Wright — 80.

Voting in the negative: Representatives Allran, Ballance, Berry, Blue, Bowen, Brown, Creecy, DeVane, Bob Etheridge, Fletcher, Gillam, Gist, Grimsley, Hightower, J. Hughes, Jordan, Lacey, Owens, Pool, Poovey, Redding, Spaulding, and Wicker — 23.

Excused absences: Representatives Brannan, Edwards, Holt, Hunter, Keesee, Ligon, Murphy, Musselwhite, Stamey, and B. Woodard — 10.

Committee Substitute for H. B. 384, A BILL TO BE ENTITLED AN ACT TO MAKE PERMANENT THE 120-DAY SPEEDY TRIAL LAW REQUIREMENT AND TO MAKE OTHER CHANGES.

Representative Wright withdraws pending Amendment No. 2.

Representative Wright offers new Amendment No. 2 which is adopted by electronic vote (76-0).

The bill, as amended, passes its third reading, by electronic vote (74-3), and is ordered engrossed and sent to the Senate.

H. B. 1044, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL ADMINISTRATIVE BOARDS OF COMMUNITY COLLEGES TO ESTABLISH COOPERATIVE PROGRAMS WITH HIGH SCHOOLS.

On motion of Representative Huskins, the bill is ordered engrossed and re-referred to the Committee on Appropriations.

H. B. 914, A BILL TO BE ENTITLED AN ACT TO ENABLE CITIES, TOWNS, AND COUNTIES TO PROVIDE FOR NEIGHBORHOOD, COMMUNITY AND RURAL PRESERVATION.

Representative Mavretic offers Amendment No. 2 which is adopted by electronic vote (73-0).

The bill, as amended, passes its third reading, by electronic vote (68-0), and is ordered engrossed and sent to the Senate.

H. B. 906, A BILL TO BE ENTITLED AN ACT TO SET AN EARLIER FILING DEADLINE FOR CITIES THAT USE THE NONPARTISAN PLURALITY METHOD OF ELECTION, passes its third reading, by electronic vote (73-3), and is ordered sent to the Senate.

Committee Substitute for H. B. 460, A BILL TO BE ENTITLED AN ACT TO PROHIBIT TRANSFERS OF HOMESITES FOR PURPOSES OF MEDICAL ASSISTANCE ELIGIBILITY PRIOR TO ENTERING A LONG TERM CARE FACILITY.

On motion of Representative Brennan, the bill is re-referred to the Committee on Appropriations.

Representative Barbee presiding.

Committee Substitute for H. B. 436, A BILL TO BE ENTITLED AN ACT TO REVISE G. S. 1A-1, RULE 4(j1), RELATING TO SERVICE OF PROCESS BY NEWSPAPER PUBLICATION IN ORDER TO INCORPORATE COURT MANDATED REQUIREMENTS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

On motion of Representative Clark, consideration of the bill is postponed until June 1, 1983.

Committee Substitute for H. B. 663, A BILL TO BE ENTITLED AN ACT TO REVISE G. S. 47-30.

Representative Wright offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (72-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 651, A BILL TO BE ENTITLED AN ACT TO AMEND THE ADOPTION STATUTES AND RELATED LAWS.

On motion of Representative Wright, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (73-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 61, A BILL TO BE ENTITLED AN ACT TO MAKE CLARIFYING AND TECHNICAL AMENDMENTS TO VARIOUS INSURANCE STATUTES, passes its second reading, by electronic vote (76-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 856, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF "RULE" FOR PURPOSES OF ADMINISTRATIVE PROCEDURE.

On motion of Representative Payne, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (73-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

S. B. 469, A BILL TO BE ENTITLED AN ACT TO MODERNIZE THE FORGERY LAW TO MAKE CLEAR THAT IT APPLIES TO CHECKS OF SAVINGS AND LOANS, CREDIT UNIONS, AND FEDERAL, STATE, AND LOCAL GOVERNMENTS, passes its second reading, by electronic vote (76-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 39, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 39 TO FURTHER EQUALIZE BETWEEN MARRIED PERSONS THE RIGHT TO INCOME, POSSESSION AND CONTROL IN PROPERTY OWNED CONCURRENTLY IN TENANCY BY THE ENTIRETY.

Representative Miller moves that the bill be re-referred to the Committee on Judiciary No. 1.

On motion of Representative Helms, consideration of the bill is postponed until May 26, 1983.

S. B. 185, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 20-118 PERTAINING TO WEIGHT OF VEHICLES AND LOADS.

On motion of Representative Bumgardner, consideration of the bill is postponed until May 26, 1983.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
May 25, 1983

Mr. Speaker:

Pursuant to your message that the House of Representatives fails to concur in the Senate Committee Substitute to H. B. 198, A BILL TO BE ENTITLED AN ACT TO EXEMPT NONRESIDENT MILITARY DEPENDENTS FROM DRIVER'S LICENSE REQUIREMENTS, and requests conferees, the President appoints Senators Warren, Rand, and Harrington on the part of the Senate to confer with a like committee on the part of the House to the end that the differences between the two Bodies may be resolved.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. B. 405, AN ACT TO PERMIT PERSONS TO ENGAGE IN BUSINESS AS A PAWNBROKER IN UNINCORPORATED AREAS OF PITT AND ALLEGHANY COUNTIES.

H. B. 118, AN ACT TO AUTHORIZE THE USE OF SINGLE PORTAL OF ENTRY AND EXIT PRINCIPLES IN RENDERING MENTAL HEALTH SERVICES.

H. B. 519, AN ACT TO REVISE THE QUALIFICATIONS FOR REAL ESTATE LICENSES.

H. B. 883, AN ACT TO REGULATE THE USE OF FIREARMS ON PUBLIC HIGHWAYS IN THE COUNTIES OF HOKE AND ROBESON.

On motion of Representative Hunt, seconded by Representative Clark, the House adjourns to reconvene May 26, 1983 at 1:30 p.m.

NINETY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Thursday, May 26, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend Lloyd McDonald, High Point Friends Meeting, High Point, North Carolina.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of May 25 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Cochrane, Holt, C. Hughes, Hunter, Keesee, and Ligon for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Wright for the Committee on Judiciary No. 2:

H. B. 948, A BILL TO BE ENTITLED AN ACT TO MAKE ARMED CRIMINAL ACTION A SEPARATE FELONY, with an indefinite postponement report.

H. B. 949, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 14-269.1 CONCERNING DISPOSITION OF DEADLY WEAPONS, with a favorable report, as amended.

H. B. 1092, A BILL TO BE ENTITLED AN ACT TO PROVIDE A GOOD SAMARITAN STATUTE FOR RURAL FIRE DEPARTMENTS, with a favorable report, as amended.

By Representative Pulley for the Committee on Judiciary No. 4:

S. B. 321, A BILL TO BE ENTITLED AN ACT TO MAKE APPROPRIATE PUNISHMENT CLASSIFICATIONS FOR CONSPIRACIES TO COMMIT FELONIES, with a favorable report.

By Representative Hunt for the Committee on Rules and Operation of the House:

H. B. 1086, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE BOARD OF HUMAN RESOURCES, with a favorable report.

S. B. 474, A BILL TO BE ENTITLED AN ACT TO CHANGE THE COMPOSITION OF THE COMMITTEE ON EMPLOYEE HOSPITAL AND MEDICAL BENEFITS, with a favorable report.

By Representative Bumgardner for the Committee on Transportation:

H. B. 1115, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MOTOR VEHICLE REGISTRATION FEE FOR SUPPORT OF DRIVER EDUCATION PROGRAMS FROM THREE DOLLARS TO FIVE DOLLARS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

S. B. 177, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT DRIVERS' LICENSES AND SPECIAL IDENTIFICATION CARDS BE COLOR-CODED ACCORDING TO AGE, with a favorable report.

By Representative Brennan for the Committee on Human Resources:

H. B. 1029, A BILL TO BE ENTITLED AN ACT TO ENSURE PROPER MEDICAL TREATMENT OF HANDICAPPED INFANTS, with an unfavorable report.

By Representative Miller for the Committee on Judiciary No. 1:

H. B. 1062, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE FACT THAT A PERSON OWNS LESS THAN TEN PERCENT OF THE STOCK OF A CORPORATION OR HAS A TEN PERCENT OR LESS OWNERSHIP IN ANY OTHER BUSINESS ENTITY OR IS AN EMPLOYEE OF A CORPORATION OR OTHER BUSINESS ENTITY DOES NOT VIOLATE THE DIRECTOR OF PUBLIC TRUST STATUTES, with a favorable report, as amended.

H. B. 1077, A BILL TO BE ENTITLED AN ACT TO SET FORTH THE PROCEDURE TO SUPPRESS A PRIOR CONVICTION OBTAINED IN VIOLATION OF THE RIGHT TO COUNSEL, with a favorable report.

By Representative Wicker for the Committe on Law Enforcement:

Committee Substitute for H. B. 37, A BILL TO BE ENTITLED AN ACT TO RECODIFY CERTAIN CRIMINAL STATUTES REGARDING JAIL CONFINEMENTS, with a favorable report, as amended.

H. B. 343, A BILLTO BE ENTITLED AN ACT TO DELETE THE OBSOLETE REQUIREMENT THAT SHERIFFS FURNISH A BOND FOR THE COLLECTION OF TAXES, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for May 30, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 918, A BILL TO BE ENTITLED AN ACT TO MAKE INJURING LAW ENFORCEMENT AGENCY ANIMALS A FELONY, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for May 30, 1983. The original bill is placed on the Unfavorable Calendar.

On motion of Representative Enloe, H. B. 977, A BILL TO BE ENTITLED AN ACT TO CREATE AN OFFICE OF EMPLOYMENT DEVELOPMENT WITHIN THE DEPARTMENT OF COMMERCE, is withdrawn from the Committee on Employment Security and is re-referred to the Committee on Appropriations.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Nesbitt, Beall, N. J. Crawford, Enloe, Fletcher, Greenwood, Hunt, Hunter, Lutz, and Owens:

H. B. 1126, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE WESTERN NORTH CAROLINA AGRICULTURAL CENTER FROM G. S. 66-58, is referred to the Committee on Small Business.

By Representative Helms:

H. B. 1127, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 143B-417 TO PROVIDE THAT THE JUSTICES OF THE SUPREME COURT AND JUDGES OF THE COURT OF APPEALS BE INCLUDED AMONG THE OFFICES TO WHICH STUDENT INTERNS MAY BE ASSIGNED, is referred to the Committee on Courts and Administration of Justice.

By Representatives Hackney, Allran, Barnes, Beam, Blue, Colton, Cook, DeVane, Diamont, Greenwood, McDowell, Nesbitt, Roberts, Slaughter, and Wicker:

H. B. 1128, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS FOR MEDICAL ASSESSMENTS OF CHILDREN SUSPECTED OF BEING ABUSED OR NEGLECTED, is referred to the Committee on Appropriations.

By Representatives Watkins and Barnes:

H. B. 1129, A BILL TO BE ENTITLED AN ACT TO INCLUDE VESTED PENSION OR RETIREMENT RIGHTS IN MARITAL PROPERTY FOR PURPOSES OF EQUITABLE DISTRIBUTION, is referred to the Committee on Judiciary No. 4.

By Representatives Spaulding and Foster:

H. B. 1130, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE RAPE VICTIM ASSISTANCE PROGRAM BY SPECIFYING THAT AMBULANCE AND MENTAL HEALTH COUNSELING COSTS ARE COVERED AND TO PROVIDE APPROVED KITS FOR THE COLLECTION OF MEDICAL EVIDENCE IN RAPE CASES, is referred to the Committee on Law Enforcement.

By Representatives Murphy, J. W. Crawford, Gillam, Hudson, Huskins, James, Slaughter, and Tyndall:

H. B. 1131, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO NORTH CAROLINA STATE UNIVERSITY FOR RESEARCH AND EXTENSION PROGRAMS CONCERNING BROILER BREEDER PRODUCTION, is referred to the Committee on Appropriations.

By Representatives Owens, Hunt, and Lutz:

H. B. 1132, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF TRYON AND TO REINCORPORATE THE TOWN OF LYNN, is referred to the Committee on Local Government No. 1.

By Representatives Church, J. W. Crawford, James, and Watkins:

H. B. 1133, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR CONSTRUCTION OF AN IRRIGATION SYSTEM AT THE OXFORD TOBACCO RESEARCH STATION, is referred to the Committee on Appropriations.

By Representatives Payne and Rhodes:

H. B. 1134, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NEW HANOVER COUNTY MUSEUM IN WILMINGTON, is referred to the Committee on Appropriations.

By Representatives Hightower, Ballance, Beall, Blue, Creecy, Enloe, Foster, Gentry, Lee, Lutz, and Tyson:

H. B. 1136, A BILL TO BE ENTITLED AN ACT TO EXTEND THE CAP ON MOTOR VEHICLE INSURANCE RATE INCREASES AND TO ABOLISH THE NORTH CAROLINA RATE BUREAU, is referred to the Committee on Insurance.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for House Committee Substitute for H. B. 235, A BILL TO BE ENTITLED AN ACT REGARDING JURISDICTION TO OVERRIDE CERTAIN PRIVILEGES, is returned for concurrence in Senate committee substitute and is referred to the Committee on Judiciary No. 4.

Committee Substitute for S. B. 406, A BILL TO BE ENTITLED AN ACT TO LIMIT THE LENGTH OF GENERAL ASSEMBLY SESSIONS, TO ORGANIZE THE SESSIONS AND INTERIM COMMITTEE WORK IN AN EFFICIENT MANNER AND TO PROVIDE FOR A CONTINUING STUDY OF GENERAL ASSEMBLY ORGANIZATION AND PROCEDURE, is read the first time and is referred to the Committee on Rules and Operation of the House.

CALENDAR

Action is taken on the following:

H. B. 540, A BILL TO BE ENTITLED AN ACT TO INCLUDE THREE SATELLITE AREAS WITHIN THE CORPORATE LIMITS OF THE CITY OF LENOIR.

On motion of Representative Robinson, the House concurs in the material Senate amendment on its third roll call reading, by the following vote, and the bill is ordered enrolled.

Those voting in the affirmative are: Representatives Auman, Ballance, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Bowen, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Colton, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Helms, Hightower, Holmes, Hudson, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Mavretic, Musselwhite, Nash, Nesbitt, Owens, Payne, Poovey, Redding, Rhodes, Roberts, Robinson, Seymour, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, B. Woodard, C. Woodard, and Wright — 86.

Voting in the negative: None.

Excused absences: Representatives Cochrane, Holt, C. Hughes, Hunter, Keesee, Ligon, and Murphy — 7.

H. B. 363, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE WILDLIFE RESOURCES COMMISSION TO CONDUCT MANAGED HUNTS ON GAME LANDS AND TO CHARGE FEES FOR PROCESSING APPLICATIONS AND USE OF RELATED FACILITIES.

On motion of Representative Lambeth, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 847, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF HOLDEN BEACH TO ASSESSS FOR BEACH ACCESSWAYS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Allran, Auman, Ballance, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Bowen, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Enloe, Bob Etheridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Helms, Hightower, Holmes, Hudson, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mavretic, Miller, Nesbitt, Owens, Payne, Poovey, Pulley, Rabon, Redding, Rhodes, Roberts, Seymour, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, B. Woodard, C. Woodard, and Wright — 87.

Voting in the negative: None.

Excused absences: Representatives Cochrane, Holt, C. Hughes, Hunter, Keesee, Ligon, and Murphy — 7.

S. B. 349, A BILL TO BE ENTITLED AN ACT TO AMEND THE ENABLING ACT OF THE GREENSBORO-HIGH POINT AIRPORT AUTHORITY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Allran, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Bowen, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Helms, Hightower, Holmes, Hudson, Hunt, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Nash, Nesbitt, Owens, Poovey, Pulley, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Womble, B. Woodard, and Wright — 94.

Voting in the negative: None.

Excused absences: Representatives Cochrane, Holt, C. Hughes, Hunter, Keesee, Ligon, and Murphy — 7.

H. B. 1081, A BILL TO BE ENTITLED AN ACT TO EMPOWER LENOIR MEMORIAL HOSPITAL AND STOKES-REYNOLDS MEMORIAL HOSPITAL TO USE ATTACHMENT AND GARNISHMENT PROCEDURES FOR COLLECTING UNPAID BILLS.

On motion of Representative Lilley, Committee Amendment No. 1 is adopted, which changes the title.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Allran, Anderson, Barker, Beall, Beam, Beard, Berry, Black, Brawley, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Clark, Colton, J. W. Crawford, N. J. Crawford, DeVane, Diamont, Easterling, Economos, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Helms, Hightower, Holmes, Hudson, Hunt, Huskins, James, Jarrell, Jones, Jordan, Lacey, Lambeth, Lilley, Lutz, Matthews, Mauney, Mavretic, Musselwhite, Nash, Nesbitt, Owens, Poovey, Rabon, Redding, Roberts, Robinson, Seymour, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, and B. Woodard — 75.

Voting in the negative: Representatives Ballance, Barnes, Blue, Bowen, Burnley, Coble, Edwards, Enloe, Hauser, Jeralds, Kennedy, Lancaster, Locks, McAlister, McDowell, Miller, Payne, Pulley, Rhodes, Spaulding, and C. Woodard — 21.

Excused absences: Representatives Cochrane, Holt, C. Hughes, Hunter, Keesee, Ligon, and Murphy — 7.

H. B. 1087, A BILL TO BE ENTITLED AN ACT TO EMPOWER ONSLOW MEMORIAL HOSPITAL TO USE ATTACHMENT AND GARNISHMENT PROCEDURES FOR COLLECTING UNPAID BILLS.

Representative Gillam offers Amendment No. 1 which is adopted. This amendment changes the title.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Allran, Anderson, Barbee, Barker, Beall, Beam, Beard, Berry, Black, Brawley, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Clark, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Helms, Hightower, Holmes, Hudson, Hunt, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Lacey, Lambeth, Lilley, Lutz, Matthews, Mauney, Mavretic, Miller, Musselwhite, Nash, Owens, Poovey, Rabon, Redding, Robinson, Seymour, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, and B. Woodard — 77.

Voting in the negative: Representatives Ballance, Barnes, Bowen, Burnley, Coble, Edwards, Hauser, Kennedy, Lancaster, Locks, McAlister, McDowell, Payne, Pulley, Rhodes, Roberts, Spaulding, C. Woodard and Wright — 19.

Excused absences: Representatives Cochrane, Holt, C. Hughes, Hunter, Keesee, Ligon, and Murphy — 7.

H. B. 848, A BILL TO BE ENTITLED AN ACT TO CONVERT TO FEE SIMPLE CERTAIN NINETY-NINE YEAR LEASES OF THE TOWN OF SMITHVILLE OR THE CITY OF SOUTHPORT, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 631, A BILL TO BE ENTITLED AN ACT RELATING TO THE GRANTING OF SPECIAL USE PERMITS, CONDITIONAL USE PERMITS AND OTHER MATTERS IN MECKLENBURG COUNTY AND THE CITY OF CHARLOTTE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 742, A BILL TO BE ENTITLED AN ACT RELATING TO THE ELECTION OF TRUSTEES OF SMITHVILLE TOWNSHIP'S J. ARTHUR DOSHER MEMORIAL HOSPITAL, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S. B. 286, A BILL TO BE ENTITLED AN ACT TO EXEMPT GASTON COUNTY FROM CERTAIN PROCEDURAL REQUIREMENTS ON DISPOSAL OF LAND AS AN INDUSTRIAL PARK, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

H. B. 1049, A BILL TO BE ENTITLED AN ACT TO ALLOW CITIES AND COUNTIES TO LEVY PROPERTY TAXES FOR INDUSTRIAL DEVELOPMENT AND ECONOMIC DEVELOPMENT.

Representative Lilley calls the previous question on the passage of the bill and the call is sustained by electronic vote (73-28).

The bill passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Allran, Anderson, Barker, Beam, Beard, Black, Bowen, Brawley, Brennan, Brown, Bumgardner, Chapin, Coble, Colton, N. J. Crawford, Economos, Bruce Ethridge, Evans, Foster, Gillam, Greenwood, Grimsley, Hasty, Helms, Holmes, Hudson, Hunt, Huskins, James, Jones, Jordan, Lacey, Lambeth, Lancaster, Lilley, Locks, Matthews, Mauney, Mavretic, Nesbitt, Owens, Poovey, Pulley, Rabon, Redding, Robinson, Seymour, Spoon, Tyson, Varner, Warren, C. Woodard, and Wright — 53.

Voting in the negative: Representatives Adams, Auman, Ballance, Barbee, Barnes, Beall, Berry, Blue, Brannan, Brubaker, Burnley, Childress, Church, Cook, J. W. Crawford, Creecy, DeVane, Easterling, Edwards, Enloe, Bob Etheridge, Fenner, Fletcher, Fussell, Gentry, Gist, Hackney, Hauser, Hayden, Hightower, Jarrell, Jeralds, Kennedy, Lee, Lutz, McAlister, McDowell, Miller, Musselwhite, Nash, Payne, Rhodes, Roberts, Slaughter, Spaulding, Tennille, Thomas, Tyndall, Wicker, Womble, and B. Woodard — 51.

Excused absences: Representatives Cochrane, Holt, C. Hughes, Hunter, Keesee, Ligon, and Murphy — 7.

House Committee Substitute for Senate Committee Substitute for S. B. 83, A BILL TO BE ENTITLED AN ACT SETTING STANDARDS FOR QUALIFICATION, TRAINING AND EXPERIENCE FOR PERSONS SEEKING TO REPRESENT THEMSELVES TO THE PUBLIC AS CERTIFIED SOCIAL WORKERS; CREATING A STATE BOARD OF EXAMINERS FOR SOCIAL WORKERS; DEFINING THE FUNCTIONS AND DUTIES OF THAT BOARD; AND PROVIDING FOR PENALTIES.

Representative Blue offers Amendment No. 3 which is adopted by electronic vote (98-0).

Representative Pulley offers Amendment No. 4 which is adopted by electronic vote (97-0).

Representative Kennedy offers Amendment No. 5 which is adopted by electronic vote (100-0).

Representative Locks offers Amendment No. 6 which is adopted by electronic vote (101-0).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Representatives Adams, Anderson, Auman, Barbee, Barker, Barnes, Beall, Beam, Beard, Black, Blue, Bowen, Brannan, Brennan, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Coble, Colton, Cook, J. W. Crawford, N. J. Crawford, Diamont, Easterling, Economos, Edwards, Enloe, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Hudson, Huskins, James, Jarrell, Jeralds, Jones, Kennedy, Lambeth, Lancaster, Lee, Lilley, Lutz, McAlister, McDowell, Matthews, Mavretic, Miller, Musselwhite, Nash, Nesbitt, Payne, Pulley, Quinn, Rabon, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Womble, B. Woodard, and Wright — 84.

Voting in the negative: Representatives Allran, Ballance, Berry, Brawley, Brown, Creecy, DeVane, Bob Etheridge, Gillam, Holmes, Jordan, Lacey, Locks, Owens, Pool, Poovey, Redding, Spaulding, and Wicker — 19.

Excused absences: Representatives Cochrane, Holt, C. Hughes, Hunter, Keesee, Ligon, Mauney, and Murphy — 8.

Representative Varner moves that H. B. 1049, A BILL TO BE ENTITLED AN ACT TO ALLOW CITIES AND COUNTIES TO LEVY PROPERTY TAXES FOR INDUSTRIAL DEVELOPMENT AND ECONOMIC DEVELOPMENT, be recalled from the Senate and this motion carries by electronic vote (57-48).

The Speaker orders a Special Message be sent to the Senate requesting the return of the bill for further consideration.

Committee Substitute for H. B. 937, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A UNIFORM EVICTION POLICY, passes its second reading, by electronic vote (89-9), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute No. 2 for H. B. 38, A BILL TO BE ENTITLED AN ACT TO REWRITE AND REPEAL CERTAIN CRIMINAL STATUTES REGARDING CONTRACTS BETWEEN LANDLORDS AND TENANTS.

Representative Ballance offers Amendment No. 1 which fails of adoption by electronic vote (46-53).

Representative Wright offers Amendment No. 2 which is adopted.

Representative Hackney calls the previous question on the passage of the bill and the call is sustained by electronic vote (86-11).

The bill, as amended, passes its second reading, by electronic vote (86-12), and there being no objection is read a third time.

Representative Hackney calls the previous question on the passage of the bill and the call is sustained by electronic vote (84-8).

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Committee Substitute for H. B. 544, A BILL TO BE ENTITLED AN ACT TO REQUIRE A LAW ENFORCEMENT OFFICER WHO ARRESTS OR ISSUES A CITATION TO AN UNEMANCIPATED MINOR TO INFORM THE MINOR'S PARENTS OF THE ARREST OR CITATION.

On motion of Representative Miller, the bill is re-referred to the Committee on Courts and Administration of Justice.

Representative Barbee presiding.

On motion of Representative Helms, H. B. 170, A BILL TO BE ENTITLED AN ACT TO AMEND THE JUDICIAL RETIREMENT ACT, is withdrawn from the Committee on Courts and Administration of Justice and is re-referred to the Committee on Pensions and Retirement.

H. B. 1104, A BILL TO BE ENTITLED AN ACT TO REQUIRE EXTRATERRITORIAL REPRESENTATION ON THE PLANNING AGENCY WHEN MATTERS CONCERNING THE EXTRATERRITORIAL AREA ARE ACTED UPON.

Representative Bruce Ethridge offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (80-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 642, A BILL TO BE ENTITLED AN ACT TO CLARIFY STATE RESPONSIBILITY FOR JAILER TRAINING AND CERTIFICATION, passes its second reading, by electronic vote (82-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 970, A BILL TO BE ENTITLED AN ACT REGARDING SUSPENSION OF A DRIVER'S LICENSE FOR FAILURE TO MAINTAIN THE REQUIRED SECURITY OR INSURANCE.

On motion of Representative Lancaster, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (86-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 974, A BILL TO BE ENTITLED AN ACT TO PROHIBIT COLORED LICENSE PLATE COVERS, passes its second reading, by electronic vote (89-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 1000, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM AMOUNT MOTOR CLUBS MAY REIMBURSE FOR EMERGENCY ROAD SERVICE.

On motion of Representative Fenner, Committee Amendment No. 1 is adopted.

Representative Mavretic offers Amendment No. 2.

Representative Mavretic withdraws his amendment.

The bill, as amended, passes its second reading, by electronic vote (82-0).

Representative Mavretic objects to the third reading. The bill remains on the Calendar.

The Speaker presiding.

S. B. 39, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 39 TO FURTHER EQUALIZE BETWEEN MARRIED PERSONS THE RIGHT TO INCOME, POSSESSION AND CONTROL IN PROPERTY OWNED CONCURRENTLY IN TENANCY BY THE ENTIRETY, passes its second reading, by electronic vote (84-3).

Representative Roberts objects to the third reading. The bill remains on the Calendar.

S. B. 185, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 20-118 PERTAINING TO WEIGHT OF VEHICLES AND LOADS.

Representative Beall, offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (81-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

S. B. 304, A BILL TO BE ENTITLED AN ACT TO ALLOW CITIES AND COUNTIES TO PARTICIPATE IN THE STATE TELEPHONE NETWORK, passes its second reading, by electronic vote (85-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Representative Mavretic rises to notify the House of his intention to make a motion on May 31, 1983 to suspend Rule 39 to recall H. B. 991, A BILL TO BE ENTITLED AN ACT TO PLACE A MORATORIUM ON THE USE OF HAZARDOUS WASTE LANDFILL FACILITIES FOR LANDFILLS NOT AN INTEGRAL PART OF A TREATMENT FACILITY, from the Committee on Natural and Economic Resources in order that the bill might be returned to the House floor for further consideration. Representative Mavretic also delivers a notice of his intention to Representative Bruce Ethridge, Chairman of the Committee on Natural and Economic Resources.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. B. 50, AN ACT TO AMEND THE POWERS OF THE COMMISSIONER OF INSURANCE TO REGULATE HEALTH MAINTENANCE ORGANIZATIONS.

H. B. 199, AN ACT TO PERMIT THE ODOMETER DISCLOSURE TO BE MADE ON THE CERTIFICATE OF TITLE.

H. B. 201, AN ACT TO REQUIRE A MAJORITY OF LANDOWNERS FOR THE CREATION OF A RURAL FIRE PROTECTION DISTRICT.

H. B. 236, AN ACT REQUIRING DEFERRAL OF IMPRISONMENT OF PREGNANT DEFENDANTS CONVICTED OF NONVIOLENT CRIMES.

H. B. 261, AN ACT TO DESIGNATE DISTRICT BARS AS SUBDIVISION OF THE NORTH CAROLINA STATE BAR AND TO AMEND THE STATUTES RELATING TO THE DISCIPLINING OF ATTORNEYS.

H. B. 293, AN ACT TO VALIDATE THE REGISTRATION OF CERTAIN INSTRUMENTS CONTAINING A NOTARIAL JURAT INSTEAD OF AN ACKNOWLEDGEMENT.

H. B. 295, AN ACT TO PERMIT A REGISTERED VOTER WHO HAS MOVED FROM ONE PRECINCT TO ANOTHER WITHIN THE SAME COUNTY MORE THAN THIRTY DAYS BEFORE AN ELECTION TO RECORD A CHANGE OF ADDRESS ON ELECTION DAY AND VOTE IN THE OFFICE OF THE COUNTY BOARD OF ELECTIONS OR AT ANOTHER LOCATION DESIGNATED BY THE BOARD.

H. B. 757, AN ACT TO CLARIFY PROVISIONS IN THE READABLE INSURANCE POLICIES ACT.

H. B. 796, AN ACT TO PERMIT A LOCAL SCHOOL ADMINISTRATIVE UNIT WITH MORE THAN 70,000 STUDENTS TO EXTEND THE PROBATIONARY PERIOD FOR NONTENURED TEACHERS.

H. B. 1008, AN ACT TO PERMIT AGRICULTURAL COMMODITY ASSOCIATIONS TO RECOVER AUDIT COSTS.

H. B. 1014, AN ACT TO AMEND ARTICLE 18B OF GENERAL STATUTES CHAPTER 58 IN ORDER TO CONTINUE NORTH CAROLINA'S ELIGIBILITY FOR RIOT REINSURANCE UNDER THE FEDERAL FAIR PLAN.

S. B. 469, AN ACT TO MODERNIZE THE FORGERY LAW TO MAKE CLEAR THAT IT APPLIES TO CHECKS OF SAVINGS AND LOANS, CREDIT UNIONS, AND FEDERAL, STATE, AND LOCAL GOVERNMENTS.

On motion of Representative Hunt, seconded by Representative Gillam, the House adjourns to reconvene May 27, 1983 at 10:00 a.m.

NINETY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Friday, May 27, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Helms.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of May 26 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Burnley, Cochrane, Fletcher, Holmes, Hughes, Keesee, Lambeth, and Ligon for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Nesbitt for the Committee on Small Business:

H. B. 1126, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE WESTERN NORTH CAROLINA AGRICULTURAL CENTER FROM G. S. 66-58, with a favorable report.

By Representative Clark for the Committee on Alcoholic Beverage Control:

H. B. 1089, A BILL TO BE ENTITLED AN ACT TO ALLOW COMMUNITY THEATRES TO QUALIFY FOR CERTAIN ABC PERMITS, with a favorable report, as amended.

By Representative Barker for the Committee on Mental Health:

Committee Substitute for S. B. 345, A BILL TO BE ENTITLED AN ACT TO PLACE A ONE-YEAR FREEZE ON THE GRANTING OF CERTIFICATES OF NEED FOR ALCOHOL TREATMENT BEDS, DRUG TREATMENT BEDS, OR BOTH, with a favorable report and placed on the Calendar for May 31, 1983.

By Representative Pulley for the Committee on Judiciary No. 4:

S. B. 337, A BILL TO BE ENTITLED AN ACT TO PROVIDE THE SAME PUNISHMENT FOR THE SALE OF A CONTROLLED SUBSTANCE TO A MINOR AS IS CURRENTLY PROVIDED FOR THE DELIVERY OF A CONTROLLED SUBSTANCE TO A MINOR, with a favorable report.

By Representative Wright for the Committee on Judiciary No. 2:

H. B. 947, A BILL TO BE ENTITLED AN ACT CONCERNING THE HARBORING OF INDIVIDUALS KNOWN TO BE THE SUBJECT OF OUTSTANDING WARRANTS FOR ARREST, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for May 31, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Lancaster for the Committee on Judiciary No. 3:

H. B. 1093, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT NEW AUTO BUYERS HAVE ADEQUATE REMEDIES AGAINST AUTO MANUFACTURERS, with a favorable report.

On motion of Representative Foster, H. B. 556, A BILL TO BE ENTITLED AN ACT TO PERMIT TEACHERS EMPLOYED ON A TWELVE-MONTH BASIS TO ACCUMULATE LEAVE TIME, is withdrawn from the Committee on Education and is re-referred to the Committee on Appropriations.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Fussell and Mauney (co-sponsors):

H. B. 1137, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN EDUCATION PROGRAM SPECIALIST AND A MEDIA TECHNICIAN TO AID MEDICAL PROFESSIONALS AND PARENTS, AND EDUCATORS OF HEARING IMPAIRED CHILDREN, is referred to the Committee on Appropriations.

By Representatives Mauney, Beam, Bumgardner, and Roberts:

H. B. 1138, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AN INVENTORY OF ARCHITECTURALLY AND HISTORICALLY SIGNIFICANT STRUCTURES AND IMPORTANT ARCHEOLOGICAL REMAINS AND SITES IN LINCOLN COUNTY, is referred to the Committee on Appropriations.

By Representative Auman:

H. B. 1139, A BILL TO BE ENTITLED AN ACT SETTING THE DISTRIBUTION OF PROFITS FROM THE SALES OF BEER AND WINE IN TOWNSHIPS, is referred to the Committee on Finance.

By Representative Mavretic:

H. B. 1140, A BILL TO BE ENTITLED AN ACT TO PERMIT TAKING STRIPED BASS FROM THE TAR RIVER WITH BOW NETS AND DIP NETS UNDER CERTAIN CONDITIONS, is referred to the Committee on Wildlife Resources.

By Representatives Thomas, Brennan, Easterling, Economos, and Foster:

H. B. 1141, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS FOR AN EDUCATION SYSTEM TO IMPROVE UNDERSTANDING OF DAY-CARE NEEDS AND PROBLEMS, is referred to the Committee on Appropriations.

By Representative Hunt:

H. B. 1142, A BILL TO BE ENTITLED AN ACT TO EXTEND THE STUDY OF THE STATE'S INTERESTS IN RAILROAD PROPERTIES, is referred to the Committee on Rules and Operation of the House.

By Representatives Blue, Lee, Payne, Robinson, Slaughter, and Watkins:

H. B. 1143, A BILL TO BE ENTITLED AN ACT TO PROVIDE FAIR DISCOVERY TO DEFENDANTS IN CRIMINAL PROSECUTIONS, is referred to the Committee on Judiciary No. 3.

By Representative Hackney:

H. B. 1144, A BILL TO BE ENTITLED AN ACT TO ABOLISH ALL GROUNDS FOR ABSOLUTE DIVORCE EXCEPT SEPARATION, is referred to the Committee on Judiciary No. 1.

By Representatives Tyndall, Anderson, Barker, Barnes, Berry, Chapin, J. W. Crawford, Bob Etheridge, Bruce Ethridge, Fletcher, Fulcher, Gentry, Gillam, Hackney, Hudson, C. Hughes, Lilley, Matthews, Miller, Payne, Slaughter, Varner, Warren, and Watkins:

H. B. 1145, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF TRANSPORTATION TO FUND, IN PART, THE SIGNALIZATION OF RAILROAD CROSSINGS USED BY SCHOOL BUSES, is referred to the Committee on Appropriations.

By Representatives Jordan and Barker:

H. J. R. 1146, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE FEASIBILITY OF REDISTRICTING IN 1990 SO AS TO HAVE SINGLE-MEMBER DISTRICTS, is referred to the Committee on Rules and Operation of the House.

By Representative Jordan:

H. B. 1147, A BILL TO BE ENTITLED AN ACT TO INCREASE THE VALUE OF WORK THAT MAY BE DONE WITHOUT A BUILDING PERMIT FOR SMALL JOBS, is referred to the Committee on Local Government No. 1.

By Representative Jordan:

H. B. 1148, A BILL TO BE ENTITLED AN ACT LEVYING A SALES TAX ON ADVERTISING FOR ALCOHOLIC BEVERAGES, is referred to the Committee on Finance.

By Representative Jordan:

H. B. 1149, A BILL TO BE ENTITLED AN ACT TO RESTRICT DRIVERS UNDER THE AGE OF SEVENTEEN TO DRIVING DURING DAYLIGHT HOURS ONLY UNLESS DRIVING TO AND FROM WORK OR SCHOOL, is referred to the Committee on Highway Safety.

By Representatives Church and J. W. Crawford:

H. B. 1150, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR FIRST FOR FREEDOM DRAMA IN HALIFAX COUNTY, is referred to the Committee on Appropriations.

By Speaker Ramsey and Representative Beall:

H. B. 1151, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR RESTORATION OF THE SWAIN COUNTY COURTHOUSE, is referred to the Committee on Appropriations.

By Representative Hayden:

H. B. 1152, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS FOR ADULT DEVELOPMENTAL ACTIVITY PROGRAM AND VOCATIONAL REHABILITATION SLOTS, is referred to the Committee on Appropriations.

On motion of Representative Hayden, the rules are suspended and the following is introduced and read the first time:

By Representatives Hayden, Diamont, and Gentry:

H. J. R. 1153, A JOINT RESOLUTION CALLING ON THE GENERAL SERVICES ADMINISTRATION TO SELL THE WINDMILL ON HOWARD'S KNOB TO WATAUGA COUNTY.

On motion of Representative Hayden, the rules are suspended and the resolution is placed before the House for immediate consideration.

The resolution passes its second reading by electronic vote (79-5).

Representative Hayden objects to the third reading. The bill remains on the Calendar.

On motion of Representative Thomas, the rules are suspended and the following is introduced and read the first time:

By Representative Thomas:

H. J. R. 1157, A JOINT RESOLUTION SETTING THE DATE FOR THE HOUSE OF REPRESENTATIVES AND SENATE TO ELECT MEMBERS OF THE STATE BOARD OF COMMUNITY COLLEGES.

On motion of Representative Thomas, the rules are suspended and the resolution is placed before the House for immediate consideration.

Representative Thomas offers Amendment No. 1 which is adopted.

The resolution, as amended, passes its second reading by electronic vote (93-0).

The resolution, as amended, passes its third reading.

On motion of Representative Thomas, the rules are suspended and the bill is ordered sent to the Senate without engrossment by Special Message.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for H. B. 329, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 115C-41 PERTAINING TO ORGANIZATION OF LOCAL BOARDS OF EDUCATION, is returned for concurrence in Senate committee substitute and is placed on the Calendar for May 30, 1983.

Senate Committee Substitute for H. B. 683, A BILL TO BE ENTITLED AN ACT TO REWRITE G. S. 20-217 PERTAINING TO PASSING STOPPED SCHOOL BUSES AND RECEIVING OR DISCHARGING PASSENGERS FROM SCHOOL BUSES STOPPED ON DIVIDED ROADWAYS, is returned for concurrence in Senate committee substitute and is referred to the Committee on Highway Safety.

S. B. 434, A BILL TO BE ENTITLED AN ACT REGARDING CONFIDENTIAL COMMUNICATIONS BETWEEN PHYSICIAN AND PATIENT, is read the first time and is referred to the Committee on Judiciary No. 4.

S. B. 479, A BILL TO BE ENTITLED AN ACT TO CLARIFY A PROVISION IN THE GROUP HEALTH INSURANCE CONTINUATION AND CONVERSION PRIVILEGES LAW, is read the first time and is referred to the Committee on Insurance.

S. B. 494, A BILL TO BE ENTITLED AN ACT TO REQUIRE UNIFORM SCALE TICKETS FOR GRAIN, is read the first time and is referred to the Committee on Agriculture.

S. B. 504, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE VENUE FOR THE TRIAL OF FELONY OFFENSES COMMITTED WITHIN THE CORPORATE LIMITS OF A MUNICIPALITY WHICH LIES WITHIN MORE THAN ONE COUNTY, is read the first time and is referred to the Committee on Courts and Administration of Justice.

Committee Substitute for S. B. 279, A BILL TO BE ENTITLED AN ACT TO PROHIBIT DISCRIMINATION IN HOUSING, is read the first time and is referred to the Committee on Housing.

CALENDAR

Action is taken on the following:

H. B. 1081, A BILL TO BE ENTITLED AN ACT TO EMPOWER LENOIR MEMORIAL HOSPITAL, CRAVEN COUNTY HOSPITAL CORPORATION, AND STOKES-REYNOLDS MEMORIAL HOSPITAL TO USE ATTACHMENT AND GARNISHMENT PROCEDURES FOR COLLECTING UNPAID BILLS.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Brawley, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Clark, Colton, Cook, Creecy, DeVane, Diamont, Easterling, Economos, Bob Etheridge, Bruce Ethridge, Fenner, Foster, Fussell, Gentry, Gillam, Greenwood, Grimsley, Hackney, Hasty, Hayden, Hightower, Hudson, Hunt, Huskins, Jarrell, Jones, Jordan, Lacey, Lilley, Lutz, Murphy, Musselwhite, Nash, Owens, Poovey, Quinn, Redding, Robinson, Seymour, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, and B. Woodard — 70.

Voting in the negative: Representatives Blue, Bowen, Coble, J. W. Crawford, Edwards, Hauser, Holt, Jeralds, Kennedy, Lancaster, Locks, McAlister, McDowell, Nesbitt, Payne, Pool, C. Woodard, and Wright — 18.

Excused absences: Representatives Burnley, Cochrane, Fletcher, Holmes, C. Hughes, Keesee, Lambeth, and Ligon — 8.

H. B. 1087, A BILL TO BE ENTITLED AN ACT TO EMPOWER CERTAIN NAMED HOSPITALS TO USE ATTACHMENT AND GARNISHMENT PROCEDURES FOR COLLECTING UNPAID BILLS.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Barbee, Barker, Beall, Beam, Beard, Berry, Black, Brawley, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Colton, Cook, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Foster, Fussell, Gentry, Gillam, Grimsley, Hackney, Hasty, Hayden, Helms, Hightower, Hudson, Hunt, Hunter, Huskins, Jarrell, Jones, Jordan, Lilley, Lutz, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Poovey, Quinn, Redding, Robinson, Seymour, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, and B. Woodard — 70.

Voting in the negative: Representatives Ballance, Blue, Bowen, Coble, Edwards, Hauser, Holt, Jeralds, Kennedy, Lancaster, Locks, McAlister, McDowell, Payne, Pool, Rhodes, C. Woodard, and Wright — 18.

Excused absences: Representatives Burnley, Cochrane, Fletcher, Holmes, C. Hughes, Keesee, Lambeth, and Ligon — 8.

H. B. 847, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE TOWN OF HOLDEN BEACH TO ASSESS FOR BEACH ACCESSWAYS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Ballance, Barbee, Barker, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brawley, Brennan, Brubaker, Bumgardner, Chapin, Childress, Church, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Foster, Fussell, Gentry, Gillam, Greenwood, Grimsley, Hasty, Hauser, Hayden, Helms, Hightower, Holt, Hudson, Hunt, Hunter, Huskins, Jarrell, Jeralds, Jones, Jordan, Kennedy, Lancaster, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool,

Poovey, Quinn, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Tennille, Thomas, Tyndall, Tyson, Varner, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 88.

Voting in the negative: None.

Excused absences: Representatives Burnley, Cochrane, Fletcher, Holmes, C. Hughes, Keesee, Lambeth, and Ligon — 8.

S. B. 349, A BILL TO BE ENTITLED AN ACT TO AMEND THE ENABLING ACT OF THE GREENSBORO-HIGH POINT AIRPORT AUTHORITY, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Ballance, Barbee, Barker, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brawley, Brennan, Brubaker, Bumgardner, Chapin, Childress, Church, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Foster, Fussell, Gentry, Gillam, Greenwood, Grimsley, Hasty, Hauser, Hayden, Helms, Hightower, Holt, Hudson, Hunt, Hunter, Huskins, Jarrell, Jeralds, Jones, Jordan, Kennedy, Lancaster, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Quinn, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Tennille, Thomas, Tyndall, Tyson, Varner, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 88.

Voting in the negative: None.

Excused absences: Representatives Burnley, Cochrane, Fletcher, Holmes, C. Hughes, Keesee, Lambeth, and Ligon — 8.

Committee Substitute for H. B. 884, A BILL TO BE ENTITLED AN ACT TO CHANGE THE NAME OF THE GOVERNING BODY OF THE MONROE CITY SCHOOL ADMINISTRATIVE UNIT AND TO PROVIDE THAT THE MONROE CITY AND UNION COUNTY SCHOOL ADMINISTRATIVE UNITS MAY NOT BE MERGED WITHOUT A COUNTYWIDE REFERENDUM, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 443, A BILL TO BE ENTITLED AN ACT TO EXTINGUISH CERTAIN ANCIENT MINERAL CLAIMS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Coble, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holt, Hudson, Hunt, Hunter, Huskins, Jarrell, Jeralds, Jones, Jordan, Kennedy, Lacey, Lancaster, Lee, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Spaulding, Spoon, Stamey, Tennille, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 101.

Voting in the negative: None.

Excused absences: Representatives Burnley, Cochrane, Fletcher, Holmes, C. Hughes, Keesee, Lambeth, and Ligon — 8.

S. B. 177, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT DRIVERS' LICENSE AND SPECIAL IDENTIFICATION CARDS BE COLOR-CODED ACCORDING TO AGE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Coble, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holt, Hudson, Hunt, Hunter, Huskins, Jarrell, Jeralds, Jones, Jordan, Kennedy, Lacey, Lancaster, Lee, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 101.

Voting in the negative: None.

Excused absences: Representatives Burnley, Cochrane, Fletcher, Holmes, C. Hughes, Keesee, Lambeth, and Ligon — 8.

H. B. 1000, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM AMOUNT MOTOR CLUBS MAY REIMBURSE FOR EMERGENCY ROAD SERVICE.

The bill, as amended, passes its third reading, by electronic vote (101-0), and is ordered engrossed and sent to the Senate.

S. B. 39, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 39 TO FURTHER EQUALIZE BETWEEN MARRIED PERSONS THE RIGHT TO INCOME, POSSESSION AND CONTROL IN PROPERTY OWNED CONCURRENTLY IN TENANCY BY THE ENTIRETY.

Representative Slaughter calls the previous question on the passage of the bill.

Representative Wright moves that the call for the previous question be postponed indefinitely and this motion carries by electronic vote (77-25).

On motion of Representative Pulley, the vote by which the previous question was postponed indefinitely is reconsidered.

Now the question before the House is the call for the previous question and the call is sustained by electronic vote (93-13).

The bill passes its third reading, by electronic vote (84-23), and is ordered enrolled.

Committee Substitute for H. B. 920, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIVISION OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES TO TRANSFER PATIENT OR RESIDENT INFORMATION TO THE DEPARTMENT OF CORRECTION, passes its second reading, by electronic vote (89-0, and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 930, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE HIGHWAY PATROL TO CONSIDER SAFETY HAZARDS WHEN ESTABLISHING DRIVER'S LICENSE CHECKPOINTS, fails to pass its second reading by electronic vote (5-92).

Committee Substitute for H. B. 115, A BILL TO BE ENTITLED AN ACT TO PROVIDE THE LICENSING OF RESIDENTIAL GROUP CARE FACILITIES FOR CHILDREN.

Representative Beard offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (87-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Committee Substitute for H. B. 733, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE LICENSING OF FACILITIES FOR THE MENTALLY ILL, THE MENTALLY RETARDED AND SUBSTANCE ABUSERS, passes its second reading, by electronic vote (86-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
May 27, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body that your request for the return of H. B. 1049, A BILL TO BE ENTITLED AN ACT TO ALLOW CITIES AND COUNTIES TO LEVY PROPERTY TAXES FOR INDUSTRIAL DEVELOPMENT AND ECONOMIC DEVELOPMENT, is respectfully denied.

Respectfully,
S/ SYLVIA M. FINK
Principal Clerk

Representative Adams moves that S. B. 349, A BILL TO BE ENTITLED AN ACT TO AMEND THE ENABLING ACT OF THE GREENSBORO–HIGH POINT AIRPORT AUTHORITY, be recalled from the Enrolling Office and this motion carries by electronic vote (74-21).

Representative Adams moves that the vote by which the bill passed its third roll call reading be reconsidered and this motion carries by electronic vote (69-24).

On motion of Representative Adams, consideration of the bill is postponed until June 3, 1983.

On motion of Representative Bumgardner, S. B. 177, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT DRIVERS' LICENSES AND SPECIAL IDENTIFICATION CARDS BE COLOR-CODED ACCORDING TO AGE, is placed on the Calendar for June 3, 1983 for its third roll call reading.

Representative Adams moves that S. B. 39, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 39 TO FURTHER EQUALIZE BETWEEN MARRIED PERSONS THE RIGHT TO INCOME, POSSESSION AND CONTROL IN PROPERTY

OWNED CONCURRENTLY IN TENANCY BY THE ENTIRETY, be recalled from the Enrolling Office and this motion carries.

Representative Slaughter moves that the vote by which the bill passed its third reading be reconsidered and this motion carries.

On motion of Representative Slaughter, consideration of the bill is postponed until June 3, 1983.

Committee Substitute for H. B. 943, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE CONTAMINATION OR ADULTERATION OR OTHER INTENTIONAL TAMPERING WITH THE PUBLIC WATER SYSTEM, passes its second reading, by electronic vote (80-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 985, A BILL TO BE ENTITLED AN ACT PROHIBITING THE DUPLICATION BY THE DIRECT MOLDING PROCESS OF MANUFACTURED PARTS, passes its second reading, by electronic vote (87-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 949, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 14-269.1 CONCERNING DISPOSITION OF DEADLY WEAPONS.

On motion of Representative Wicker, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (85-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 1092, A BILL TO BE ENTITLED AN ACT TO PROVIDE A GOOD SAMARITAN STATUTE FOR RURAL FIRE DEPARTMENTS.

On motion of Representative DeVane, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (87-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 1086, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE BOARD OF HUMAN RESOURCES, passes its second reading, by electronic vote (86-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 1062, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE FACT THAT A PERSON OWNS LESS THAN TEN PERCENT OF THE STOCK OF A CORPORATION OR HAS A TEN PERCENT OR LESS OWNERSHIP IN ANY OTHER BUSINESS ENTITY OR IS AN EMPLOYEE OF A CORPORATION OR OTHER BUSINESS ENTITY DOES NOT VIOLATE THE DIRECTOR OF PUBLIC TRUST STATUTES.

On motion of Representative Payne, Committee Amendment No. 1 is adopted. This amendment changes the title.

The, bill, as amended, passes its second reading, by electronic vote (86-1), and remains on the Calendar.

H. B. 1077, A BILL TO BE ENTITLED AN ACT TO SET FORTH THE PROCEDURE TO SUPPRESS A PRIOR CONVICTION OBTAINED IN VIOLATION OF THE RIGHT TO COUNSEL, passes its second reading, by electronic vote (85-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 37, A BILL TO BE ENTITLED AN ACT TO RECODIFY CERTAIN CRIMINAL STATUTES REGARDING JAIL CONFINEMENTS.

On motion of Representative Hackney, Committee Amendment No. 1 is adopted.

On motion of Representative Hackney, consideration of the bill is postponed until May 30, 1983.

S. B. 321, A BILL TO BE ENTITLED AN ACT TO MAKE APPROPRIATE PUNISHMENT CLASSIFICATIONS FOR CONSPIRACIES TO COMMIT FELONIES.

On motion of Representative Lee, consideration of the bill is postponed until May 30, 1983.

On motion of Representative Adams, the bill is removed from the Calendar of May 30, 1983 and is placed on the Calendar for June 3, 1983.

S. B. 474, A BILL TO BE ENTITLED AN ACT TO CHANGE THE COMPOSITION OF THE COMMITTEE ON EMPLOYEE HOSPITAL AND MEDICAL BENEFITS.

On motion of Representative Adams, consideration of the bill is postponed until June 3, 1983.

Representative Bruce Ethridge moves that the vote by which H. B. 1049, A BILL TO BE ENTITLED AN ACT TO ALLOW CITIES AND COUNTIES TO LEVY PROPERTY TAXES FOR INDUSTRIAL DEVELOPMENT AND ECONOMIC DEVELOPMENT, passed its third reading be reconsidered.

The Speaker rules the motion is in order and is in effect as of this date with a simple majority vote if and when the bill is returned from the Senate.

Representative Adams rises to notify the House that pursuant to Rule 58(a) his intention of introducing on Monday, May 30, 1983, a House resolution permanently altering the 1983 House rules by adding a new rule to read "No bill shall be sent from the House on the day of its passage except on the last day of the session."

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 298, AN ACT TO VALIDATE CERTAIN CONVEYANCES WHERE SEALS WERE OMITTED.

H. B. 226, AN ACT TO PROVIDE FOR STATE REVIEW OF LOCAL GOVERNMENT SPONSORED CAMA MINOR DEVELOPMENT PROJECTS.

H. B. 228, AN ACT TO STAY DEVELOPMENT UNDER CAMA PERMITS WHILE REQUESTS FOR APPEALS ARE PENDING.

H. B. 270, AN ACT TO MAKE THE MINIMUM HOUSING STANDARDS APPLY TO MOBILE HOMES.

H. B. 307, AN ACT TO AUTHROIZE THE USE OF LOCAL OR FEDERAL FUNDS TO PURCHASE REAL PROPERTY BY THE AREA MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE AUTHORITIES.

H. B. 363, AN ACT TO AUTHORIZE THE WILDLIFE RESOURCES COMMISSION TO CONDUCT MANAGED HUNTS ON GAME LANDS AND TO CHARGE FEES FOR PROCESSING APPLICATIONS AND USE OF RELATED FACILITIES.

H. B. 540, AN ACT TO INCLUDE THREE SATELLITE AREAS WITHIN THE CORPORATE LIMITS OF THE CITY OF LENOIR.

S. B. 286, AN ACT TO EXEMPT GASTON COUNTY FROM CERTAIN PROCEDURAL REQUIREMENTS ON DISPOSAL OF LAND AS AN INDUSTRIAL PARK.

S. B. 304, AN ACT TO ALLOW CITIES AND COUNTIES TO PARTICIPATE IN THE STATE TELEPHONE NETWORK.

On motion of Representative Hunt, seconded by Representative Beard, the House adjourns to reconvene Monday, May 30, 1983 at 7:00 p.m.

NINETY-NINTH DAY

HOUSE OF REPRESENTATIVES
Monday, May 30, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Womble.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of May 27 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Adams, Barnes, Beard, Burnley, Fenner, Hightower, Holmes, C. Hughes, Keesee, Lambeth, and Locks for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Miller for the Committee on Judiciary No. 1:

H. J. R. 1083, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO CONTINUE ITS STUDY OF STATE GOVERNMENT RISK MANAGEMENT, with a favorable report.

By Representative Pulley for the Committee on Judiciary No. 4:

H. B. 96, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY AND CODIFY THE RULES OF EVIDENCE, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for June 1, 1983. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Hunt:

H. J. R. 1154, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE TO ACT ON CONFIRMATION OF APPOINTMENTS MADE BY THE GOVERNOR TO THE STATE PERSONNEL COMMISSION, is referred to the Committee on Rules and Operation of the House.

By Representatives Lilley and Coble:

H. B. 1155, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF ELECTRICAL CONTRACTING, is referred to the Committee on State Government.

By Representative Colton:

H. B. 1156, A BILL TO BE ENTITLED AN ACT TO CLASSIFY FOR AD VALOREM TAX PURPOSES CERTAIN REAL PROPERTY OWNED BY NONPROFIT CORPORATIONS ORGANIZED FOR HISTORIC PRESERVATION PURPOSES, is referred to the Committee on Finance.

By Representatives Evans and Church:

H. B. 1158, A BILL TO BE ENTITLED AN ACT TO LIMIT THE AUTHORITY OF OCCUPATIONAL LICENSING BOARDS TO DISQUALIFY PERSONS FROM LICENSING, is referred to the Committee on Judiciary No. 3.

By Representatives Bumgardner, Beam, Mauney, and Roberts:

H. B. 1159, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS FOR A HIGHWAY PATROL AND DRIVERS' LICENSE EXAMINER STATION IN LINCOLN COUNTY, is referred to the Committee on Appropriations.

By Representative Miller:

H. B. 1160, A BILL TO BE ENTITLED AN ACT TO MAKE THE EMPLOYEES OF THE AGENCY FOR PUBLIC TELECOMMUNICATIONS SUBJECT TO THE STATE PERSONNEL ACT, is referred to the Committee on State Personnel.

By Representatives Seymour, Beard, Bowen, Church, Colton, N. J., Crawford, Evans, Jarrell, Kennedy, Lancaster, and Warren:

H. B. 1161, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES FOR THE COMMITTEE ON ART IN STATE BUILDINGS, is referred to the Committee on Appropriations.

By Representatives Anderson and Fulcher (co-sponsors); Barker, Burnley, Cochrane, Enloe, Fenner, Foster, Hayden, Lilley, Matthews, Mauney, Thomas, Tyndall, and Warren:

H. B. 1162, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE RESPONSIBILITY OF THE STATE BOARD OF EDUCATION FOR THE STATE'S SCHOOL TRANSPORTATION SYSTEM, is referred to the Committee on Education.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for H. B. 565, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 20-79.2 PERTAINING TO TRANSPORTER REGISTRATION PLATES, is returned for concurrence in Senate committee substitute and is referred to the Committee on Transportation.

H. B. 281, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE ELECTION LAWS RELATIVE TO ACCESS TO THE VOTING ENCLOSURE, MAILING OF NOTICES OF CANCELLATION, USE OF TAX SUPPORTED BUILDINGS FOR VOTING, AND COUNTING OF PRIMARY BALLOTS, is returned for concurrence in Senate amendment and is placed on the Calendar for May 31, 1983.

Committee Substitute for H. B. 503, A BILL TO BE ENTITLED AN ACT SETTING THE DATE FOR VALUATION OF PROPERTY DIVIDED UNDER EQUITABLE DISTRIBUTION, is returned for concurrence in Senate amendment and is placed on the Calendar for May 31, 1983.

S. B. 139, A BILL TO BE ENTITLED AN ACT TO ALLOW THE PURCHASE OF CREDITABLE SERVICE WITH THE STATE RETIREMENT SYSTEMS FOR LEAVES OF ABSENCE WHEN IN RECEIPT OF WORKERS' COMPENSATION, is read the first time and is referred to the Committee on Pensions and Retirement.

S. B. 266, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND SIMPLIFY THE COASTAL AREA MANAGEMENT ACT, is read the first time and is referred to the Committee on Natural and Economic Resources.

S. B. 364, A BILL TO BE ENTITLED AN ACT TO INCLUDE TWO SATELLITE AREAS WITHIN THE CORPORATE LIMITS OF THE TOWN OF FOUR OAKS, is read the first time and is referred to the Committee on Local Government No. 1.

S. B. 453, A BILL TO BE ENTITLED AN ACT TO AMEND THE AUTHORITY OF THE DEPARTMENT OF TRANSPORTATION TO SET FEES FOR SIGNS, SIGN PERMITS, AND JUNKYARD PERMITS, is read the first time and is referred to the Committee on Transportation.

CALENDAR

Action is taken on the following:

Senate Commitee Substitute for H. B. 329, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 115C-41 PERTAINING TO ORGANIZATION OF LOCAL BOARDS OF EDUCATION.

On motion of Representative Womble, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

Committee Substitute for H. B. 443, A BILL TO BE ENTITLED AN ACT TO EXTINGUISH CERTAIN ANCIENT MINERAL CLAIMS, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Anderson, Auman, Ballance, Barbee, Barker, Beall, Beam, Berry, Black, Brannan, Brawley, Brennan, Brown, Bumgardner, Chapin, Childress, Church, Cochrane, Colton, Cook, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fletcher, Foster, Fussell, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Holt, Hudson, J. Hughes, Hunt, Huskins, Jones, Kennedy, Lacey, Lancaster, Lee, Ligon, Lilley, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Owens, Pool, Poovey, Pulley, Quinn, Redding, Roberts, Seymour, Spaulding, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 82.

Voting in the negative: None.

Excused absences: Representatives Adams, Barnes, Beard, Burnley, Fenner, Hightower, Holmes, C. Hughes, Keesee, Lambeth, and Locks — 11.

H. B. 1062, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE FACT THAT A PERSON OWNS TEN PERCENT OR LESS OF THE STOCK OF A CORPORATION OR HAS A TEN PERCENT OR LESS OWNERSHIP IN ANY OTHER BUSINESS ENTITY OR IS AN EMPLOYEE OF A CORPORATION OR OTHER BUSINESS ENTITY DOES NOT VIOLATE THE DIRECTOR OF PUBLIC TRUST STATUTES.

The bill, as amended, passes its third reading, by electronic vote (87-1), and is ordered engrossed and sent to the Senate.

H. J. R. 1153, A JOINT RESOLUTION CALLING ON THE GENERAL SERVICES ADMINISTRATION TO SELL THE WINDMILL ON HOWARD'S KNOB TO WATAUGA COUNTY, passes its third reading, by electronic vote (83-4), and is ordered sent to the Senate by Special Message.

SUSPENSION OF RULES TO INTRODUCE LOCAL BILL

On motion of Representative Poovey, rule 31.1 is suspended by a two-thirds majority vote in order for a local bill to be filed.

CALENDAR (continued)

Committee Substitute for H. B. 37, A BILL TO BE ENTITLED AN ACT TO RECODIFY CERTAIN CRIMINAL STATUTES REGARDING JAIL CONFINEMENTS.

On motion of Representative Hackney, consideration of the bill is postponed until May 31, 1983.

Committee Substitute for H. B. 343, A BILL TO BE ENTITLED AN ACT TO REVISE PORTIONS OF CHAPTER 162 RELATING TO SHERIFFS.

On motion of Representative Hackney, consideration of the bill is postponed until May 31, 1983.

Committee Substitute for H. B. 918, A BILL TO BE ENTITLED AN ACT TO MAKE INJURING LAW ENFORCEMENT AGENCY ANIMALS A FELONY, passes its second reading by electronic vote (62-30).

Representative Blue objects to the third reading. The bill remains on the Calendar.

H. B. 1126, A BILL TO BE ENTITLED AN ACT TO EXEMPT THE WESTERN NORTH CAROLINA AGRICULTURAL CENTER FROM G. S. 66-58, passes its second reading, by electronic vote (85-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 1089, A BILL TO BE ENTITLED AN ACT TO ALLOW COMMUNITY THEATRES TO QUALIFY FOR CERTAIN ABC PERMITS.

On motion of Representative Colton, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading by electronic vote (69-19).

Representative Redding objects to the third reading. The bill remains on the Calendar.

H. B. 1093, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT NEW AUTO BUYERS HAVE ADEQUATE REMEDIES AGAINST AUTO MANUFACTURERS.

On motion of Representative Lancaster, consideration of the bill is postponed until May 31, 1983.

S. B. 337, A BILL TO BE ENTITLED AN ACT TO PROVIDE THE SAME PUNISHMENT FOR THE SALE OF A CONTROLLED SUBSTANCE TO A MINOR AS IS CURRENTLY PROVIDED FOR THE DELIVERY OF A CONTROLLED SUBSTANCE TO A MINOR, passes its second reading by electronic vote (85-2).

Representative Holt objects to the third reading. The bill remains on the Calendar.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State.

H. J. R. 1157, A JOINT RESOLUTION SETTING THE DATE FOR THE HOUSE OF REPRESENTATIVES AND SENATE TO ELECT MEMBERS OF THE STATE BOARD OF COMMUNITY COLLEGES.

On motion of Representative Hunt, seconded by Representative Lee, the House adjourns to reconvene May 31, 1983 at 1:30 p.m.

ONE-HUNDREDTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, May 31, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Locks.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of May 30 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Bumgardner, Holmes, C. Hughes, Keesee, and Wicker for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Church for the Committee on State Government:

H. B. 1116, A BILL TO BE ENTITLED AN ACT TO REQUIRE STATE AGENCIES AND POLITICAL SUBDIVISIONS TO COOPERATE IN EFFORTS TO PROMOTE THE USE OF SMALL, MINORITY AND WOMEN CONTRACTORS IN PUBLIC CONSTRUCTION AND PURCHASING CONTRACTS, with a favorable report.

Committee Substitute for S. B. 229, A BILL TO BE ENTITLED AN ACT REQUIRING A COST STATEMENT TO APPEAR ON STATE PUBLICATIONS, with an unfavorable report as to Senate committee substitute bill, favorable as to House committee substitute bill.

The House committee substitute bill is placed on the Calendar for June 2, 1983. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S. B. 427, A BILL TO BE ENTITLED AN ACT TO CREATE THE AUCTIONEER RECOVERY FUND, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

By Representative Pulley for the Committee on Judiciary No. 4:

Senate Committee Substitute for H. B. 235, A BILL TO BE ENTITLED AN ACT REGARDING JURISDICTION TO OVERRIDE CERTAIN PRIVILEGES, with recommendation that the House concur.

On motion of Representative Pulley, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Pulley, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

H. B. 1010, A BILL TO BE ENTITLED AN ACT MAKING FORGERY OF UNITED STATES TREASURY CHECKS A VIOLATION OF THE STATE FORGERY STATUTES, with an indefinite postponement report.

S. B. 40, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 66, ARTICLE 19, TO CLARIFY THE SCOPE OF THE BUSINESS OPPORTUNITY SALES ACT, with a favorable report.

H. B. 1117, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA SECURITIES ACT, with a favorable report, as amended.

By Representative Hunt for the Committee on Rules and Operation of the House:

H. J. R. 1154, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE TO ACT ON CONFIRMATION OF APPOINTMENTS MADE BY THE GOVERNOR TO THE STATE PERSONNEL COMMISSION, with a favorable report.

On motion of Representative Hunt, the rules are suspended and the resolution is placed before the House for immediate consideration.

The resolution passes its second reading, by electronic vote (109-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate.

By Representative Helms for the Committee on Courts and Administration of Justice:

H. B. 33, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A NEW DISTRICT COURT JUDGE IN THE TWENTY-SEVENTH-A JUDICIAL DISTRICT, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title, and recommendation that the bill be re-referred to the Committee on Appropriations.

The substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

H. B. 473, A BILL TO BE ENTITLED AN ACT TO GIVE SALARY CREDIT TO BEGINNING MAGISTRATES WITH LAW ENFORCEMENT OR JUDICIAL DEPARTMENT EXPERIENCE, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H. B. 659, A BILL TO BE ENTITLED AN ACT TO IMPROVE AND ENHANCE REQUIRED AND ADVANCED TRAINING FOR NORTH CAROLINA'S LAW ENFORCEMENT OFFICERS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

H. B. 772, A BILL TO BE ENTITLED AN ACT TO RAISE JUSTICES' AND JUDGES' SALARIES, with an unfavorable report as to bill, favorable as to committee substitute bill, and recommendation that the substitute bill be re-referred to the Committee on Appropriations.

The substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

H. B. 797, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE ATTORNEY GENERAL TO APPOINT AN ATTORNEY SPECIALIZING IN THE LAW OF THE HANDICAPPED, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

By Representative Watkins for the Committee on Appropriations:

Committee Substitute for H. B. 559, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF LANDFILLING FOR CERTAIN CLASSES OF HAZARDOUS WASTES AND OTHER SOLID WASTES, with a favorable report, as amended.

By Representative Hightower for the Committee on Insurance:

H. B. 954, A BILL TO BE ENTITLED AN ACT TO REGULATE THE PURCHASE OF MUTUAL BURIAL ASSOCIATIONS, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Beall:

H. B. 1163, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT PROPERTY TAXES LEVIED FOR RURAL FIRE PROTECTION APPLY ONLY TO PERSONAL PROPERTY AND IMPROVEMENTS TO REAL PROPERTY AND NOT THE LAND ITSELF, is referred to the Committee on Local Governemnt No. 1.

By Representative Tennille:

H. B. 1164, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF JUSTICE TO PROVIDE FOR IMPLEMENTATION OF THE RADAR ACT, is referred to the Committee on Appropriations.

By Representative Poovey:

H. B. 1165, A BILL TO BE ENTITLED AN ACT TO EMPOWER CATAWBA MEMORIAL HOSPITAL TO USE ATTACHMENT AND GARNISHMENT PROCEDURES FOR COLLECTING UNPAID BILLS, is referred to the Committee on Local Government No. 1.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute No. 2 for H. B. 116, A BILL TO BE ENTITLED AN ACT TO ALLOW THE HEAD OF A LOCAL LAW ENFORCEMENT AGENCY TO APPOINT TRAFFIC CONTROL OFFICERS, is returned for concurrence in Senate committee Substitute and is referred to the Committee on Highway Safety.

H. B. 1061, A BILL TO BE ENTITLED AN ACT TO ENSURE DUE PROCESS FOR PERSONS WHOSE CARS ARE TOWED PURSUANT TO A LAW ENFORCEMENT OFFICER'S ORDER, is returned for concurrence in Senate amendment and is placed on the Calendar for June 1, 1983.

Committee Substitute for S. B. 318, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PUNISHMENT FOR CHILD ABUSE SO IT MORE ACCURATELY REFLECTS THE SERIOUSNESS OF THE CRIME, is read the first time and is referred to the Committee on Judiciary No. 2.

S. B. 507, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING THE OPENING OF TEXTBOOK BIDS AND TO REQUIRE LOCAL SCHOOL BOARDS TO REMIT TEXTBOOK FEES TO THE STATE BOARD ON AN ANNUAL BASIS, is read the first time and is referred to the Committee on Education.

S. B. 516, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE PERSONNEL ADMINISTRATION COMMISSION FOR PUBLIC SCHOOL EMPLOYEES TO PROVIDE RECOMMENDATIONS TO THE GENERAL ASSEMBLY, is read the first time and is referred to the Committee on Education.

CALENDAR

Action is taken on the following:

H. B. 281, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE ELECTION LAWS RELATIVE TO ACCESS TO THE VOTING ENCLOSURE, MAILING OF NOTICES OF CANCELLATION, USE OF TAX SUPPORTED BUILDINGS FOR VOTING, AND COUNTING OF PRIMARY BALLOTS.

On motion of Representative Holt, the House concurs in the Senate amendment and the bill is ordered enrolled.

Committee Substitute for H. B. 503, A BILL TO BE ENTITLED AN ACT SETTING THE DATE FOR VALUATION OF PROPERTY DIVIDED UNDER EQUITABLE DISTRIBUTION.

Representative Slaughter moves that the House concur in the Senate amendment. This motion fails, by electronic vote (20-84), and conferees are requested.

The Speaker announces the appointment of Representatives Slaughter, Miller, Hackney, Nesbitt, and Pool as conferees and the Senate is so notified by Special Message.

Committee Substitute for H. B. 918, A BILL TO BE ENTITLED AN ACT TO MAKE INJURING LAW ENFORCEMENT AGENCY ANIMALS A FELONY.

On motion of Representative Evans, consideration of the bill is postponed until June 1, 1983.

H. B. 1089, A BILL TO BE ENTITLED AN ACT TO ALLOW COMMUNITY THEATRES TO QUALIFY FOR CERTAIN ABC PERMITS.

The bill, as amended, passes its third reading, by electronic vote (62-43), and is ordered engrossed and sent to the Senate.

S. B. 337, A BILL TO BE ENTITLED AN ACT TO PROVIDE THE SAME PUNISHMENT FOR THE SALE OF A CONTROLLED SUBSTANCE TO A MINOR AS IS CURRENTLY PROVIDED FOR THE DELIVERY OF A CONTROLLED SUBSTANCE TO A MINOR, passes its third reading, by electronic vote (99-2), and is ordered enrolled.

Committee Substitute for H. B. 37, A BILL TO BE ENTITLED AN ACT TO RECODIFY CERTAIN CRIMINAL STATUTES REGARDING JAIL CONFINEMENTS.

The bill, as amended, passes its second reading by electronic vote (102-0).

Representative Hackney objects to the third reading. The bill remains on the Calendar.

Committee Substitute for H. B. 343, A BILL TO BE ENTITLED AN ACT TO REVISE PORTIONS OF CHAPTER 162 RELATING TO SHERIFFS.

Representative Barnes offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading by electronic vote (107-0).

Representative Helms objects to the third reading. The bill remains on the Calendar.

Committee Substitute for H. B. 947, A BILL TO BE ENTITLED AN ACT CONCERNING THE HARBORING OF INDIVIDUALS KNOWN TO BE THE SUBJECT OT OUTSTANDING WARRANTS FOR ARREST.

On motion of Representative Wright, consideration of the bill is postponed until June 2, 1983.

H. B. 1093, A BILL TO BE ENTITLED AN ACT TO ENSURE THAT NEW AUTO BUYERS HAVE ADEQUATE REMEDIES AGAINST AUTO MANUFACTURERS, passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. J. R. 1083, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO CONTINUE ITS STUDY OF STATE GOVERNMENT RISK MANAGEMENT, passes its second reading, by electronic vote (101-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for S. B. 345, A BILL TO BE ENTITLED AN ACT TO PLACE

A ONE-YEAR FREEZE ON THE GRANTING OF CERTIFICATES OF NEED FOR ALCOHOL TREATMENT BEDS, DRUG TREATMENT BEDS, OR BOTH, passes its second reading by electronic vote (106-2).

Representative Womble objects to the third reading. The bill remains on the Calendar.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. B. 185, AN ACT TO AMEND G. S. 20-118 PERTAINING TO WEIGHT OF VEHICLES AND LOADS.

H. B. 329, AN ACT TO AMEND G. S. 115C-41 PERTAINING TO ORGANIZATION OF LOCAL BOARDS OF EDUCATION.

H. B. 1036, AN ACT TO PROHIBIT THE UNAUTHORIZED USE OF PUBLIC PURCHASE OR CONTRACT PROCEDURES FOR PRIVATE BENEFIT.

On motion of Representative Hunt, seconded by Representative Hunter, the House adjourns to reconvene June 1, 1983 at 1:30 p.m.

ONE HUNDRED FIRST DAY

HOUSE OF REPRESENTATIVES
Wednesday, June 1, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Brown.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of May 31 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Black, Brennan, Holmes, C. Hughes, and Keesee for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Fussell for the Committee on Highway Safety:

H. B. 122, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 20-108 TO PROVIDE FOR SEIZURE AND DISPOSITION OF MOTOR VEHICLES OR COMPONENT PARTS WHICH DO NOT CARRY IDENTIFYING NUMBERS OR CARRY ALTERED, CHANGED OR OBLITERATED NUMBERS, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for June 3, 1983. The original bill is placed on the Unfavorable Calendar.

Senate Committee Substitute for H. B. 683, A BILL TO BE ENTITLED AN ACT TO REWRITE G. S. 20-217 PERTAINING TO PASSING STOPPED SCHOOL BUSES

AND RECEIVING AND DISCHARGING PASSENGERS FROM SCHOOL BUSES STOPPED ON DIVIDED ROADWAYS, with recommendation that the House concur.

On motion of Representative Fussell, the rules are suspended and the bill is placed before the House for immediate consideration.

Representative Fussell moves that the House concur in the Senate committee substitute.

On motion of Representative Hackney, consideration of the bill is postponed until June 3, 1983.

H. B. 806, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE HIT AND RUN STATUTE TO PROVIDE THAT A PERSON MUST ONLY HAVE KNQWLEDGE THAT HE WAS INVOLVED IN AN ACCIDENT OR COLLISION AND NOT THAT SUCH ACCIDENT OR COLLISION CAUSED INJURY OR DEATH OR PROPERTY DAMAGE, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for June 3, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 961, A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL FOR ANY PERSON TO BE INTOXICATED ON ANY HIGHWAY, with a favorable report, as amended.

By Representative Foster for the Committee on Education:

H. B. 621, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT TEACHER WORKDAYS SCHEDULED WITHIN TEN DAYS OF ELECTION DAY BE SCHEDULED ON ELECTION DAY, with an unfavorable report as to bill, favorable as to committee substitute joint resolution, which changes the title.

The substitute joint resolution is placed on the Calendar for June 3, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Hightower for the Committee on Insurance:

H. B. 60, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW CONCERNING UNDERINSURED MOTORIST COVERAGE, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for June 3, 1983. The original bill is placed on the Unfavorable Calendar.

S. B. 443, A BILL TO BE ENTITLED AN ACT TO EXTEND FOR TWO YEARS THE TIME FOR COMPLIANCE BY INSURERS WITH THE LAW REGARDING THE AMOUNT OF CAPITAL AND/OR SURPLUS REQUIRED FOR THE FORMATION AND ORGANIZATION OF COMPANIES, with a favorable report.

By Representative Lutz for the Committee on Local Government No. 2:

S. B. 239, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE ELECTIVE OFFICE OF MITCHELL COUNTY ACCOUNTANT SO AS TO ALLOW THE COUNTY BOARD OF COMMISSIONERS TO APPOINT A COUNTY FINANCE OFFICER UNDER THE GENERAL LAW, with a favorable report.

S. B. 242, A BILL TO BE ENTITLED AN ACT TO AMEND THE GREENSBORO PUBLIC SCHOOL CODE, with a favorable report.

S. B. 261, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON TO CLARIFY THE AUTHORITY OF CITY COUNCIL TO CONTRACT WITH NON-CITY AGENCIES, with a favorable report.

S. B. 282, A BILL TO BE ENTITLED AN ACT RELATING TO MOTOR VEHICLE TRAFFIC AT THE GREENSBORO–HIGH POINT AIRPORT AND FOR OTHER PURPOSES, with a favorable report.

S. B. 285, A BILL TO BE ENTITLED AN ACT RELATING TO REMOVAL OF UNAUTHORIZED VEHICLES FROM PRIVATE LOTS IN FORSYTH COUNTY, with a favorable report, as amended.

S. B. 290, A BILL TO BE ENTITLED AN ACT REGARDING THE AUTHORITY OF THE CITY OF WILMINGTON TO REQUIRE A CERTIFICATE OF APPROPRIATENESS FOR EXTERIOR WORK TO STRUCTURES IN AN AREA DESIGNATED AS AN HISTORIC DISTRICT OVERLAY, with a favorable report.

S. B. 353, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF MURFREESBORO AND TO REPEAL PRIOR LOCAL ACTS, with a favorable report.

S. B. 375, A BILL TO BE ENTITLED AN ACT TO PROVIDE A PROCEDURE FOR THE FILLING OF VACANCIES IN ELECTIVE OFFICE IN THE TOWN OF CHINA GROVE, with a favorable report.

By Representative McAlister for the Committee on Water and Air Resources:

H. B. 79, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REGULATION OF HAZARDOUS WASTE AND PCB LANDFILLS, with a favorable report, as amended.

S. B. 268, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 143 OF THE GENERAL STATUTES, ARTICLE 21, PART 8, SO AS TO MAKE FLOOD CONTROL PROJECTS AND ALL LOCAL WATER-BASED RECREATION PROJECTS ELIGIBLE FOR COST-SHARING, with a favorable report.

By Representative Mavretic for the Committee on Pensions and Retirement:

H. B. 72, A BILL TO BE ENTITLED AN ACT TO PERMIT TRUSTEES OF THE RAEFORD FIREMEN'S RELIEF FUND TO PAY FIREMEN'S CONTRIBUTIONS TO THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND, with a favorable report.

H. B. 76, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO THE KANNAPOLIS FIREMEN'S SUPPLEMENTAL RETIREMENT FUND, with a favorable report, as amended.

H. B. 97, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN CHANGES IN THE ROCKY MOUNT SUPPLEMENTAL RETIREMENT FUND FOR FIREMEN, with a favorable report.

H. B. 117, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW ENFORCEMENT OFFICERS', FIREMEN'S, RESCUE SQUAD WORKERS' AND CIVIL AIR PATROL MEMBERS' DEATH BENEFITS ACT, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H. B. 237, A BILL TO BE ENTITLED AN ACT TO ALLOW A RESCUE SQUAD WORKER ELIGIBLE FOR MEMBERSHIP IN THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKER'S PENSION FUND TO PURCHASE AS

MANY AS TWO HUNDRED AND FORTY MONTHS OF PRIOR SERVICE, ON OR BEFORE DECEMBER 31, 1983, with a favorable report, as amended.

H. B. 330, A BILL TO BE ENTITLED AN ACT TO PROVIDE A SUPPLEMENTAL RETIREMENT FUND FOR FIREMEN IN THE TOWN OF VALDESE, AND TO MODIFY THE APPLICATION OF G. S. 118-5, G. S. 118-6, AND G. S. 118-7 TO THE TOWN OF VALDESE, with a favorable report.

H. B. 366, A BILL TO BE ENTITLED AN ACT TO PROVIDE A SUPPLEMENTAL RETIREMENT FUND FOR FIREMEN IN THE CITY OF NEW BERN AND TO MODIFY THE APPLICATION OF G. S. 118-5, G. S. 118-6, AND G. S. 118-7 TO THE CITY OF NEW BERN, with a favorable report, as amended.

H. B. 497, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 363 OF THE 1969 SESSION LAWS CONCERNING THE SUPPLEMENTAL RETIREMENT FUND FOR FIREMEN IN THE CITY OF NEWTON, with a favorable report.

H. B. 586, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 26 OF THE PRIVATE LAWS OF 1937, AS AMENDED, TO PROVIDE THAT THE FIREMEN'S PENSION FUND OF WILMINGTON SHALL BE ADMINISTERED BY THE PENSION BOARD OF THE CITY OF WILMINGTON, with a favorable report, as amended.

H. B. 587, A BILL TO BE ENTITLED AN ACT TO PROVIDE A FIREMEN'S BENEFIT FUND FOR FIREMEN IN THE CITY OF WILMINGTON AND TO MODIFY THE APPLICATION OF G. S. 118-5, G. S. 118-6, AND G. S. 118-7 TO THE CITY OF WILMINGTON, with a favorable report, as amended.

H. B. 588, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 495 OF THE SESSION LAWS OF 1977 TO CLARIFY THE EFFECT OF SAID ACT, WHICH IS A CODIFICATION OF THE CHARTER OF THE CITY OF WILMINGTON, ON OTHER ACTS, with a favorable report.

H. B. 603, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 55 OF THE PRIVATE LAWS OF 1915, AS AMENDED, TO PROVIDE THAT THE POLICE PENSION FUND OF WILMINGTON SHALL BE ADMINISTERED BY THE PENSION BOARD OF THE CITY OF WILMINGTON, with a favorable report, as amended.

H. B. 729, A BILLTO BE ENTITLED AN ACT TO TAX-SHELTER CONTRIBUTIONS TO THE CHARLOTTE FIREMEN'S RETIREMENT SYSTEM PURSUANT TO SECTION 414(h) (2) OF THE INTERNAL REVENUE CODE AND THEREBY INCREASE THE TAKE-HOME PAY OF EMPLOYEES OF THE FIRE DEPARTMENT OF THE CITY OF CHARLOTTE, with a favorable report.

By Representative Lilley for the Committee on Local Governemnt No. 1:

H. B. 622, A BILL TO BE ENTITLED AN ACT TO LIMIT THE ANNUAL INCREASE IN THE NUMBER OF COUNTY EMPLOYEES IN ALAMANCE AND ROCKINGHAM COUNTIES, with an indefinite postponement report.

H. B. 776, A BILL TO BE ENTITLED AN ACT TO MAKE MISCELLANEOUS CHANGES IN LOCAL LAWS AFFECTING ORANGE AND CHATHAM COUNTIES, with a favorable report, as amended.

H. B. 1147, A BILL TO BE ENTITLED AN ACT TO INCREASE THE VALUE OF WORK THAT MAY BE DONE WITHOUT A BUILDING PERMIT FOR SMALL JOBS, with a favorable report, as amended.

S. B. 364, A BILL TO BE ENTITLED AN ACT TO INCLUDE TWO SATELLITE

AREAS WITHIN THE CORPORATE LIMITS OF THE TOWN OF FOUR OAKS, with a favorable report.

S. B. 386, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM, with a favorable report, as amended.

S. B. 466, A BILL TO BE ENTITLED AN ACT TO REPEAL LOCAL LEGISLATION PERTAINING TO DAIRY HERDS IN BUNCOMBE COUNTY, with a favorable report.

By Representative Helms for the Committee on Courts and Administration of Justice:

H. B. 492, A BILL TO BE ENTITLED AN ACT TO RAISE FEES PAID TO JURORS, with an unfavorable report as to bill, favorable as to committee substitute bill, and recommendation that the substitute bill be re-referred to the Committee on Appropriations.

The substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

H. B. 513, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE FILING OF A NOTICE OF APPEAL WITHIN 30 DAYS IN ALL APPEALS TAKEN FROM DECISIONS OR ORDERS OF THE UTILITIES COMMISSION, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for June 3, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 774, A BILL TO BE ENTITLED AN ACT REGARDING PROBATION REVOCATION IN A COUNTY OTHER THAN THE COUNTY OF ORIGINAL CONVICTION, with a favorable report.

By Representative Miller for the Committee on Judiciary No. 1:

H. B. 179, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 50 OF THE GENERAL STATUTES TO ESTABLISH PROCEDURES TO INSURE PAYMENT OF CHILD SUPPORT, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for June 3, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 180, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 15A OF THE GENERAL STATUTES TO ESTABLISH PROCEDURES TO INSURE PAYMENT OF CHILD SUPPORT, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for June 3, 1983. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Slaughter:

H. B. 1166, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PERSONS TO VACCINATE THEIR OWN ANIMALS AGAINST RABIES, is referred to the Committee on Health.

By Representative Helms:

H. B. 1167, A BILL TO BE ENTITLED AN ACT SETTING A TIME LIMIT FOR FILING THE FINAL AFFIDAVIT FOR ADMINISTRATION OF A SMALL ESTATE, is referred to the Committee on Courts and Administration of Justice.

By Representative Auman:

H. B. 1168, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF AN OFFICE AND LABORATORY FOR THE SANDHILLS PEACH RESEARCH CENTER, is referred to the Committee on Appropriations.

By Representatives James, Anderson, Barnes, Brubaker, Creecy, Enloe, Gillam, Grimsley, Lilley, Lutz, McAlister, Murphy, Tyson, Warren, and B. Woodard:

H. J. R. 1169, A JOINT RESOLUTION TO CREATE A STUDY COMMISSION TO EXAMINE ALTERNATIVES FOR INCREASING PUBLIC AWARENESS OF THE IMPORTANCE OF AGRICULTURE, FORESTRY, AND SEAFOOD IN NORTH CAROLINA, is referred to the Committee on Rules and Operation of the House.

By Representatives James, Anderson, Brubaker, Creecy, Enloe, Gillam, Grimsley, Lilley, Lutz, McAlister, Murphy, Tyson, Warren, and B. Woodard:

H. J. R. 1170, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY WHETHER THE FEEDING OF GARBAGE TO SWINE SHOULD BE PROHIBITED, is referred to the Committee on Rules and Operation of the House.

By Representative Adams:

H. R. 1171, A HOUSE RESOLUTION AMENDING THE PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES TO PROVIDE THAT NO BILL SHALL BE SENT FROM THE HOUSE ON THE DAY OF ITS PASSAGE EXCEPT ON THE LAST DAY OF THE SESSION, is referred to the Committee on Rules and Operation of the House.

By Representative Rabon:

H. B. 1172, A BILL TO BE ENTITLED AN ACT APPROPRIATING MONEY FOR BUILDING BOAT RAMPS IN BRUNSWICK COUNTY, is referred to the Committee on Appropriations.

By Representatives Jones, Adams, Allran, Anderson, Auman, Ballance, Barker, Barnes, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright:

H. B. 1173, A BILL TO BE ENTITLED AN ACT TO MODIFY THE BURDEN OF PROOF AND PUNISHMENT FOR ALLOWING PRISONERS TO ESCAPE, is referred to the Committee on Law Enforcement.

By Representative Jordan:

H. B. 1174, A BILL TO BE ENTITLED AN ACT TO RESTRICT THE AVAILABILITY OF COMPENSATORY LEAVE FOR STATE EMPLOYEES, is referred to the Committee on State Personnel.

By Representatives J. Hughes, Brawley, Brown, Coble, Redding, and Robinson:

H. B. 1175, A BILL TO BE ENTITLED AN ACT TO MAKE POSSESSION OF ONE-THIRD OUNCE OF MARIJUANA A FELONY, is referred to the Committee on Judiciary No. 1.

By Representatives Nesbitt, Beard, Black, Bowen, Diamont, Enloe, Greenwood, Hayden, Hunter, Jeralds, Payne, Pool, Rabon, Watkins, and Wicker:

H. B. 1176, A BILL TO BE ENTITLED AN ACT TO GIVE PUBLIC SCHOOLS FIRST PRIORITY IN BORROWING LIBRARY FILMS, is referred to the Committee on Education.

By Representatives Nesbitt, Childress, N. J. Crawford, Bob Etheridge, Fletcher, Gist, Greenwood, Hauser, Jeralds, and Wicker:

H. B. 1177, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF ADMINISTRATION TO PUBLISH A NORTH CAROLINA PURCHASE REGISTRY, is referred to the Committee on Small Business.

By Representatives Nesbitt, Childress, Bob Etheridge, Fletcher, Gist, Greenwood, Hauser, Jeralds, and Wicker:

H. B. 1178, A BILL TO BE ENTITLED AN ACT ESTABLISHING AN ASSIGNED RISK PLAN FOR BID, PAYMENT, PERFORMANCE, MAINTENANCE, AND OTHER BONDS, is referred to the Committee on Small Business.

By Representatives Nesbitt, Bob Etheridge, Fletcher, Gist, Greenwood, and Wicker:

H. B. 1179, A BILL TO BE ENTITLED AN ACT TO REGULATE THE RELATIONSHIP BETWEEN FRANCHISORS AND FRANCHISE HOLDERS IN NORTH CAROLINA FOR AUTOMOBILE PARTS AND SERVICES, EXCLUDING FRANCHISED DEALERS, AND TO ESTABLISH JURISDICTION, is referred to the Committee on Small Business.

By Representatives Anderson and Fulcher:

H. J. R. 1180, A JOINT RESOLUTION TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY NORTH CAROLINA'S SCHOOL PUPIL TRANSPORTATION PROGRAM, is referred to the Committee on Rules and Operation of the House.

By Representative Auman:

H. B. 1181, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST IN THE RESTORATION OF THE OLD ABERDEEN AND ASHEBORO RAILROAD STATION IN ABERDEEN, is referred to the Committee on Appropriations.

By Representatives Creecy, Hauser, and Kennedy:

H. B. 1182, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ALL HIGH SCHOOL SENIORS SHALL BE GIVEN AN OPPORTUNITY TO REGISTER TO VOTE NO LATER THAN GRADUATION, is referred to the Committee on Election Laws.

By Representatives Church, Adams, Anderson, Ballance, Barnes, Beam, Berry, Blue, Bowen, Brannan, Brennan, Chapin, Cook, J. W. Crawford, Easterling, Economos, Bob Etheridge, Evans, Fletcher, Foster, Fulcher, Gillam, Gist, Helms, Hightower, Holmes, Hudson, C. Hughes, Hunt, James, Lee, Lutz, Mauney, Mavretic, Murphy, Roberts, Spaulding, Tyndall, Tyson, Watkins, and B. Woodard:

H. B. 1183, A BILL TO BE ENTITLED AN ACT TO AMEND THE UNIFORM JUDICIAL RETIREMENT ACT PERTAINING TO BENEFITS ON DEATH BEFORE RETIREMENT, is referred to the Committee on Pensions and Retirement.

By Representatives James, Evans, and Spaulding (co-sponsors); Ballance, Berry, Chapin, Edwards, Gillam, Hauser, Jeralds, Kennedy, and Locks:

H. J. R. 1184, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF MARION D. THORPE, is referred to the Committee on Rules and Operation of the House.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for H. B. 711, A BILL TO BE ENTITLED AN ACT TO SPECIFICALLY INCLUDE MONEY USED IN DRUG DEALING AS PROPERTY SUBJECT TO FORFEITURE UNDER THE CONTROLLED SUBSTANCES ACT, is returned to concurrence in Senate committee substitute and is returned to the Committee on Judiciary No. 4.

Committee Substitute for S. B. 385, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF MARVIN IN UNION COUNTY, is read the first time and is returned to the Committee on Local Government No. 2.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
May 31, 1983

Mr. Speaker:

Pursuant to your message that the House of Representatives fails to concur in the Senate amendments to Committee Substitute for H. B. 503, A BILL TO BE ENTITLED AN ACT SETTING THE DATE FOR VALUATION OF PROPERTY DIVIDED UNDER EQUITABLE DISTRIBUTION, and requests conferees, the President appoints Senators Jenkins, Swain, and Duncan on the part of the Senate to confer with a like committee on the part of the House to the end that the differences between the two Bodies may be resolved.

Respectfully,
S/ SYLVIA M. FINK
Principal Clerk

On motion of Representative Huskins, the rules are suspended and H. B. 1044, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE LOCAL ADMINISTRATIVE BOARDS OF COMMUNITY COLLEGES TO ESTABLISH COOPERATIVE PROGRAMS WITH HIGH SCHOOLS, is withdrawn from the Committee on Appropriations and is placed before the House for immediate consideration.

The bill passes its third reading, by electronic vote (103-0), and is ordered sent to the Senate.

CALENDAR

Action is taken on the following:

H. B. 1061, A BILL TO BE ENTITLED AN ACT TO ENSURE DUE PROCESS FOR PERSONS WHOSE CARS ARE TOWED PURSUANT TO A LAW ENFORCEMENT OFFICER'S ORDER.

On motion of Representative Lancaster, the House concurs in the Senate amendment and the bill is ordered enrolled.

Committee Substitute for H. B. 37, A BILL TO BE ENTITLED AN ACT TO RECODIFY CERTAIN CRIMINAL STATUTES REGARDING JAIL CONFINEMENTS.

The bill, as amended, passes its third reading, by electronic vote (107-0), and is ordered engrossed and sent to the Senate.

Committee Substitute for H. B. 343, A BILL TO BE ENTITLED AN ACT TO REVISE PORTIONS OF CHAPTER 162 RELATING TO SHERIFFS.

Representative Lee offers Amendment No. 2 which is adopted by electronic vote (100-0).

The bill, as amended, passes its third reading, by electronic vote (102-0), and is ordered engrossed and sent to the Senate.

Committee Substitute for H. B. 918, A BILL TO BE ENTITLED AN ACT TO MAKE INJURING LAW ENFORCEMENT AGENCY ANIMALS A FELONY.

Representative Evans offers Amendment No. 1 which is adopted by electronic vote (107-0).

Representative Lancaster offers Amendment No. 2 which is adopted by electronic vote (105-1).

Representative Evans calls the previous question on the passage of the bill and the call is sustained by electronic vote (90-9).

The bill, as amended, passes its third reading, by electronic vote (65-40), and is ordered engrossed and sent to the Senate.

Committee Substitute for S. B., 345, A BILL TO BE ENTITLED AN ACT TO PLACE A ONE-YEAR FREEZE ON THE GRANTING OF CERTIFICATES OF NEED FOR ALCOHOL TREATMENT BEDS, DRUG TREATMENT BEDS, OR BOTH, passes its third reading, by electronic vote (98-2), and is ordered enrolled.

Committee Substitute for H. B. 436, A BILL TO BE ENTITLED AN ACT TO REVISE G. S. 1A-1, RULE 4(j1), RELATING TO SERVICE OF PROCESS BY

NEWSPAPER PUBLICATION IN ORDER TO INCORPORATE COURT MANDATED REQUIREMENTS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

On motion of Representative Clark, the bill is re-referred to the Committee on Judiciary No. 2.

Representative Hunt presiding.

Committee Substitute for H. B. 787, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE USE OF COMMERCIAL WASTEWATER TREATMENT OPERATION FIRMS.

Representative Anderson offers Amendment No. 1 which is adopted.

Representative Lancaster offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (96-2), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Committee Substitute for H. B. 96, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY AND CODIFY THE RULES OF EVIDENCE, passes its second reading, by electronic vote (89-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 1116, A BILL TO BE ENTITLED AN ACT TO REQUIRE STATE AGENCIES AND POLITICAL SUBDIVISIONS TO COOPERATE IN EFFORTS TO PROMOTE THE USE OF SMALL, MINORITY AND WOMEN CONTRACTORS IN PUBLIC CONSTRUCTION AND PURCHASING CONTRACTS, passes its second reading, by electronic vote (85-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 1117, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA SECURITIES ACT.

On motion of Representative Miller, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading by electronic vote (89-0).

Representative Miller objects to the third reading. The bill remains on the Calendar.

Committee Substitute for H. B. 559, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF LANDFILLING FOR CERTAIN CLASSES OF HAZARDOUS WASTES AND OTHER SOLID WASTES.

On motion of Representative Adams, Committee Amendment No. 1 is adopted.

Representative Mavretic offers Amendment No. 2.

On motion of Representative Pulley, seconded by Representative Bruce Ethridge, Amendment No. 2 is tabled by electronic vote (62-39).

Representative Clark calls the previous question on the passage of the bill.

Representative Mavretic moves that the call for the previous question be postponed indefinitely and this motion fails by electronic vote (45-54).

The motion to call previous question on the passage of the bill is sustained by electronic vote (57-44).

Now the question before the House is the passage of the bill on its second reading.

The bill, as amended, passes its second reading by electronic vote (76-27).

Representative Barnes objects to the third reading. The bill remains on the Calendar.

H. B. 954, A BILL TO BE ENTITLED AN ACT TO REGULATE THE PURCHASE OF MUTUAL BURIAL ASSOCIATIONS, passes its second reading by electronic vote (79-1).

Representative Pulley objects to the third reading. The bill remains on the Calendar.

The Speaker presiding.

Committee Substitute for S. B. 40, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 66, ARTICLE 19, TO CLARIFY THE SCOPE OF THE BUSINESS OPPORTUNITY SALES ACT, passes its second reading, by electronic vote (94-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 1, 1983

Mr. Speaker:

Pursuant to your message that the House of Representatives fails to concur in the Senate amendments to Committee Substitute for H. B. 503, A BILL TO BE ENTITLED AN ACT SETTING THE DATE FOR VALUATION OF PROPERTY DIVIDED UNDER EQUITABLE DISTRIBUTION, and requests conferees, the President appoints additional Senators Marvin and Henson Barnes on the part of the Senate to confer with a like committee on the part of the House to the end that the differences between the two Bodies may be resolved.

Respectfully
S/ SYLVIA M. FINK
Principal Clerk

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 235, AN ACT REGARDING JURISDICTION TO OVERRIDE CERTAIN PRIVILEGES.

H. B. 281, AN ACT TO MAKE AMENDMENTS TO THE ELECTION LAWS RELATIVE TO ACCESS TO THE VOTING ENCLOSURE, MAILING OF NOTICES OF CANCELLATION, USE OF TAX SUPPORTED BUILDINGS FOR VOTING, AND COUNTING OF PRIMARY BALLOTS.

H. B. 808, AN ACT TO EXCLUDE NEW EMPLOYEES OF CERTAIN LICENSING AND EXAMINING BOARDS, EMPLOYEE AND TEACHER ASSOCIATIONS, AND PRIVATE NOT-FOR-PROFIT CORPORATIONS FROM THE MEMBERSHIP

OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM OF NORTH CAROLINA.

H. B. 946, AN ACT TO AMEND G. S. 14-288.8 CONCERNING WEAPONS OF MASS DESTRUCTION.

S. B. 337, AN ACT TO PROVIDE THE SAME PUNISHMENT FOR THE SALE OF A CONTROLLED SUBSTANCE TO A MINOR AS IS CURRENTLY PROVIDED FOR THE DELIVERY OF A CONTROLLED SUBSTANCE TO A MINOR.

On motion of Representative Hunt, seconded by Representative Barker, the House adjourns to reconvene June 2, 1983 at 1:20 p.m.

ONE HUNDRED SECOND DAY

HOUSE OF REPRESENTATIVES
Thursday, June 2, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Rabbi Abe Schoen, Beth Myer Synagogue, Raleigh, North Carolina.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of June 1 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Brennan, N. J. Crawford, Bob Etheridge, Holmes, and C. Hughes for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Pulley for the Committee on Judiciary No. 4:

House Committee Substitute No. 1 for S. B. 408, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING PLUMBING AND HEATING CONTRACTORS TO REDEFINE "HEATING, GROUP NUMBER THREE" AND "CONTRACTOR", with an unfavorable report as to House Committee Substitute Bill No. 1, favorable as to House Committee Substitute Bill No. 2.

House Committee Substitute Bill No. 2 is placed on the Calendar for June 6, 1983. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

S. B. 434, A BILL TO BE ENTITLED AN ACT REGARDING CONFIDENTIAL COMMUNICATIONS BETWEEN PHYSICIAN AND PATIENT, with a favorable report.

By Representative Bumgardner for the Committee on Transportation:

Senate Committee Substitute for H. B. 565, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 20-79.2 PERTAINING TO TRANSPORTER REGISTRATION PLATES, with recommendation that the House concur.

On motion of Representative Bumgardner, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Bumgardner, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

S. B. 453, A BILL TO BE ENTITLED AN ACT TO AMEND THE AUTHORITY OF THE DEPARTMENT OF TRANSPORTATION TO SET FEES FOR SIGNS, SIGN PERMITS, AND JUNKYARD PERMITS, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

By Representative Lambeth for the Committee on Wildlife Resources:

H. B. 624, A BILL TO BE ENTITLED AN ACT TO REPEAL LOCAL LEGISLATION REGARDING DEER HUNTING IN STOKES COUNTY, with a favorable report.

H. B. 1140, A BILL TO BE ENTITLED AN ACT TO PERMIT TAKING STRIPED BASS FROM THE TAR RIVER WITH BOW NETS AND DIP NETS UNDER CERTAIN CONDITIONS, with a favorable report, as amended.

S. B. 432, A BILL TO BE ENTITLED AN ACT TO PROHIBIT BEAR HUNTING WITH DOGS IN PAMLICO COUNTY, with a favorable report.

By Representative Hightower for the Committee on Insurance:

H. B. 633, A BILL TO BE ENTITLED AN ACT TO EXTEND TO PERSONS IN THE MOTOR VEHICLE REINSURANCE FACILITY THE BENEFITS OF DOWNWARD RATE DEVIATIONS THAT ARE FILED BY THEIR CEDING INSURERS, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for June 6, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Chapin for the Committee on Commercial Fishing:

House Committee Substitute for Senate Committee Substitute for S. B. 357, A BILL TO BE ENTITLED AN ACT TO REVISE THE LICENSE PROVISIONS PERTAINING TO MARINE FISHERIES AND TO REPEAL THE SEAFOOD TAX, with an unfavorable report as to Senate committee substitute bill, favorable as to House committee substitute bill and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Fussell for the Committee on Highway Safety:

H. B. 1057, A BILL TO BE ENTITLED AN ACT TO REGULATE FOLLOWING DISTANCES BETWEEN SCHOOL BUSES OUTSIDE AND WITHIN MUNICIPALITIES, with a favorable report.

By Representative Miller for the Committee on Judiciary No. 1:

H. B. 684, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE CRIME OF INVOLUNTARY SERVITUDE, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for June 6, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Rabon for the Committee on Manufacturers and Labor:

H. B. 1108, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 97-28 TO PERMIT USE OF LEAVE DURING THE FIRST SEVEN DAYS OF DISABILITY UNDER THE WORKER'S COMPENSATION ACT, with a favorable report.

By Representative Wright for the Committee on Judiciary No. 2:

H. B. 749, A BILL TO BE ENTITLED AN ACT TO MAKE LARCENY PURSUANT TO A FELONIOUS BREAKING OR ENTERING OF A CAR, AIRPLANE, ETC., A FELONY REGARDLESS OF THE VALUE OF THE PROPERTY TAKEN, with an indefinite postponement report.

S. B. 235, A BILL TO BE ENTITLED AN ACT TO REINSTATE THE FELONY CHARGE AND PUNISHMENT FOR SECOND ESCAPES AND TO CLARIFY A YOUTHFUL OFFENDER ESCAPE PROVISION, with a favorable report.

Committee Substitute for S. B. 318, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PUNISHMENT FOR CHILD ABUSE SO IT MORE ACCURATELY REFLECTS THE SERIOUSNESS OF THE CRIME, with a favorable report.

By Representative Quinn for the Committee on Finance:

H. B. 945, A BILL TO BE ENTITLED AN ACT CONCERNING THE REPORTING OF CERTAIN TRANSACTIONS IN UNITED STATES CURRENCY, with a favorable report and recommendation that the bill be re-referred to the Committee on Judiciary No. 2.

H. B. 502, A BILL TO BE ENTITLED AN ACT REGARDING EXEMPTIONS FROM PROPERTY TAX FOR ANTI-POLLUTION DEVICES, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for June 6, 1983. The original bill is placed on the Unfavorable Calendar.

The Speaker order a Special Message sent to the Senate informing that Honorable Body that the House stands ready to receive them in Joint Session.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 2, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body that pursuant to H. J. R. 1022, A JOINT RESOLUTION PROVIDING FOR JOINT SESSIONS OF THE HOUSE COMMITTEE ON PUBLIC UTILITIES AND THE SENATE COMMITTEE ON PUBLIC UTILITIES AND ENERGY TO REVIEW THE GOVERNOR'S APPOINTEES TO THE UTILITIES COMMISSION AND THE EXECUTIVE DIRECTOR OF THE PUBLIC STAFF, AND PROVIDING FOR A JOINT SESSION OR SESSIONS OF THE HOUSE OF REPRESENTATIVES AND THE SENATE TO ACT ON CONFIRMATION OF APPOINTMENTS MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION AND FOR EXECUTIVE DIRECTOR OF THE PUBLIC STAFF, the Senate stands ready to repair to the Hall of the House, there to sit in Joint Session with your Honorable Body.

Respectfully,
S/ SYLVIA M. FINK
Principal Clerk

JOINT SESSION

The Sergeant-At-Arms of the House of Representatives is recognized and he announces the arrival of the Senate at the door of the House.

The Speaker directs the admittance of that Honorable Body. The President of the Senate, the Honorable James C. Green, is seated to the right of the Speaker and is presented the gavel.

The Joint Assembly is called to order by the President.

The President instructs the Reading Clerk of the Senate to call the roll and the following Senators answer present: Senators Alford, Allsbrook, Ballenger, H. Barnes, R. Barnes, Childers, Daniels, Davis, Duncan, E. Edwards, J. Edwards, Guy, Hancock, Hardison, Harrington, K. Harris, O. Harris, Hipps, Hunt, Jenkins, Johnson, Jordan, Lawing, Marion, Martin, Marvin, Parnell, Plyler, Rand, Rauch, Redman, Royall, Soles, Speed, Staton, Swain, J. Thomas, Tison, Walker, Ward, Warren, White, and Winner — 43.

The President directs an electronic vote to be taken of the House of Representatives and the following Representatives are recorded as present: Representatives Adams, Allran, Anderson, Auman, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bruce Ethridge, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holt, Hudson, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, and B. Woodard — 106.

A quorum of each House being declared present, the Joint Session proceeds with its business.

The President directs the House Reading Clerk to read the following letter from His Excellency the Governor of North Carolina.

April 27, 1983

The Honorable James C. Green
President of the Senate

The Honorable Liston B. Ramsey
Speaker of the House of Representatives
Legislative Building
Raleigh, North Carolina

Dear Sirs:

Pursuant to the provisions of G. S. 62-10, I submit herewith to the General Assembly for confirmation the name of Ruth E. Cook of Wake County whom I have appointed as a member of the North Carolina Utilities Commission. Her term of office will be effective July 1, 1983, or as soon thereafter as she takes the oath of office and will expire July 1, 1991.

Pursuant to the provisions of G. S. 62-15, I submit herewith to the General Assembly for confirmation the name of Robert Gruber whom I have appointed as Executive Director of

the Public Staff of the Utilities Commission. His term will be effective July 1, 1983 and will expire June 30, 1989.

Sincerely,
S/ JAMES B. HUNT, JR.

Senator A. D. Guy, Chairman, Senate Committee on Public Utilities and Energy, submits the following report:

The Honorable James C. Green
President of the Senate
Lieutenant Governor of North Carolina
Raleigh, North Carolina 27611

Dear Mr. President:

In compliance with the provisions of G. S. 62-10(g) and G. S. 62-15(a) that nominees to fill the position on the Utilities Commission and the position of the Executive Director of the Public Staff of the Utilities Commission shall be subject to confirmation by the General Assembly in Joint Session, Governor Hunt has submitted for confirmation by the General Assembly the following names:

Mrs. Ruth Cook as Commissioner to succeed
Mr. John Wesley Winters

Mr. Robert P. Gruber as Executive Director
of the Public Staff of the Utilities
Commission to succeed Dr. Robert Fischbach

Pursuant to HJR 1022, the Senate Committee on Public Utilities and Energy has considered the nominees and makes the following recommendations to this Joint Session:

That the nominations of Mrs. Ruth Cook as Commissioner and Dr. Robert P. Gruber as Executive Director of the Public Staff of the North Carolina Utilities Commission be confirmed.

Respectfully submitted,
S/ A. D. GUY, *Chairman*
Public Utilities and Energy
Committee

Senator Guy moves that the nominations of Mrs. Ruth Cook as Commissioner and Dr. Robert P. Gruber as Executive Director of the Public Staff of the North Carolina Utilities Commission be confirmed.

Representative Mary P. Seymour, Chairman, House Committee on Public Utilities, submits the following report:

June 2, 1983

The Honorable Liston B. Ramsey
Speaker of the House of Representatives
North Carolina General Assembly
Raleigh, North Carolina 27611

Dear Speaker Ramsey:

In compliance with the provisions of G. S. 62-10(g) and G. S. 62-15(a) that nominees to fill the position on the Utilities Commission and the position of the Excecutive Director of the

Public Staff of the Utilities Commission shall be subject to confirmation by the General Assembly in Joint Session, Governor Hunt has submitted for confirmation by the General Assembly the following names:

Mrs. Ruth E. Cook as Commissioner to succeed
Mr. John Wesley Winters

Mr. Robert P. Gruber as Executive Director
of Public Staff of the Utilities Commission
to succeed Dr. Robert Fischbach

Pursuant to HJR 1022, the House Committee on Public Utilities has considered the nominees and makes the following recommendations to this Joint Session:

That the nominations of Mrs Ruth E. Cook as Commissioner and Mr. Robert P. Gruber as Executive Director of the Public Staff of the North Carolina Utilities Commission be confirmed.

Respectfully submitted,
S/ MARY P. SEYMOUR
Chairman, Public Utilities Committee

Representative Seymour moves that the nominations of Mrs. Ruth Cook as Commissioner and Dr. Robert P. Gruber as Executive Director of the Public Staff of the North Carolina Utilities Commission be confirmed.

The nomination of Mrs. Cook is confirmed by the Senate by the following vote:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, H. Barnes, R. Barnes, Childers, Daniels, Davis, Duncan, E. Edwards, J. Edwards, Gray, Guy, Hancock, Hardison, Harrington, K. Harris, O. Harris, Hipps, Hunt, Jenkins, Johnson, Jordan, Lawing, Marion, Martin, Marvin, Parnell, Plyler, Rand, Rauch, Redman, Royall, Speed, Staton, Swain, Tally, J. Thomas, R. Thomas, Tison, Walker, Ward, Warren, White, and Winner — 45.

Voting in the negative: None.

The nomination of Mrs. Cook is confirmed by the House of Representatives by the following vote:

Those voting in the affirmative are: Speaker Ramsey, Representatives Adams, Allran, Anderson, Auman, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holt, Hudson, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 108.

Voting in the negative: Representatives Brawley and Ligon — 2.

Excused absences: Representatives Brennan, N. J. Crawford, Bob Etheridge, Holmes, C. Hughes, and Keesee — 6.

The nomination of Mr. Gruber is confirmed by the Senate by the following vote:

Those voting in the affirmative are: Senators Alford, Allred, Allsbrook, Ballenger, H. Barnes, R. Barnes, Childers, Daniels, Davis, Duncan, E. Edwards, J. Edwards, Gray, Guy, Hancock, Hardison, Harrington, K. Harris, O. Harris, Hipps, Hunt, Jenkins, Johnson, Jordan, Kincaid, Lawing, Marion, Martin, Marvin, Parnell, Plyler, Rand, Rauch, Redman, Royall, Soles, Speed, Staton, Swain, Tally, J. Thomas, R. Thomas, Tison, Walker, Ward, Warren, White, Winner and Wright — 49.

Voting in the negative: None.

The nomination of Mr. Gruber is confirmed by the House of Representatives by the following vote:

Those voting in the affirmative are: Speaker Ramsey, Representatives Adams, Allran, Anderson, Auman, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holt, Hudson, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 112.

Voting in the negative: None.

Excused absences: Representatives Brennan, N. J. Crawford, Bob Etheridge, Holmes, C. Hughes, and Keesee — 6.

On motion of Representative Colton, statements by members of the House in support of the confirmation of Mrs. Ruth Cook to the Utilities Commission are included in the Journal and may be found in the Appendix.

The President declares that the General Assembly has confirmed the nomination of Mrs. Cook as Commissioner and Dr. Robert P. Gruber as Executive Director of the Public Staff of the North Carolina Utilities Commission and orders that the Governor be notified of this action.

On motion of Senator Craig Lawing the Joint Session is dissolved and the Senate returns to the Senate Chamber.

The House resumes its business.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Barker:

H. J. R. 1185, A JOINT RESOLUTION DIRECTING THE MENTAL HEALTH

STUDY COMMISSION TO PREPARE A RECODIFICATION DRAFT OF CHAPTER 122 OF THE GENERAL STATUTES, TITLED "HOSPITALS FOR THE MENTALLY DISORDERED", AND OF RELATED STATUTES, is referred to the Committee on Rules and Operation of the House.

By Representatives Seymour, Burnley, Coble, Gist, Grimsley, Jarrell, and Keesee:

H. B. 1186, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES FOR CAPITAL IMPROVEMENTS FOR THE EASTERN MUSIC FESTIVAL, is referred to the Committee on Appropriations.

By Representative Payne:

H. B. 1187, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONSTRUCTION OF EXHIBITS AT FORT FISHER STATE HISTORIC SITE, is referred to the Committee on Appropriations.

By Representatives Payne and Rhodes:

H. B. 1188, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AN EXPANDED TURFGRASS RESEARCH AND EXTENSION PROGRAM, is referred to the Committee on Appropriations.

By Representatives Payne, Adams, and Hunter:

H. B. 1189, A BILL TO BE ENTITLED AN ACT TO INCREASE FROM TEN TO THIRTY THOUSAND DOLLARS THE THRESHOLD AT WHICH PUBLIC BODIES MUST REQUIRE PAYMENT AND PERFORMANCE BONDS OF CONTRACTORS AWARDED PUBLIC CONSTRUCTION CONTRACTS AND TO PERMIT PUBLIC BODIES TO REQUIRE BONDS FOR PUBLIC CONTRACTS OF LESS THAN THIRTY THOUSAND DOLLARS, is referred to the Committee on Judiciary No. 1.

By Representatives Hunter, Adams, and Payne:

H. B. 1190, A BILL TO BE ENTITLED AN ACT TO CREATE A BOARD OF STATE CONTRACT APPEALS, is referred to the Committee on State Government.

By Representatives Evans, Chapin, Colton, Gillam, James, Lancaster, and Mavretic:

H. B. 1191, A BILL TO BE ENTITLED AN ACT TO EXEMPT BED AND BREAKFAST ESTABLISHMENTS FROM THE FOOD AND LODGING REQUIREMENTS, is referred to the Committee on Health.

By Representative Lancaster:

H. B. 1192, A BILL TO BE ENTITLED AN ACT TO REQUIRE A CONFERENCE ON JURY INSTRUCTIONS, is referred to the Committee on Judiciary No. 3.

By Representatives Rabon and Wright:

H. B. 1193, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR BRUNSWICK TOWN STATE HISTORIC SITE, is referred to the Committee on Appropriations.

By Representative Diamont:

H. J. R. 1194, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE

RESEARCH COMMISSION TO STUDY HEALTH PROFESSIONALS FOR NORTH CAROLINA, is referred to the Committee on Rules and Operation of the House.

By Representatives Barker, Anderson, Hunt, Lilley, Lutz, and Owens:

H. B. 1195, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR OPERATING COSTS AND FOR PLANNING AND FACILITY GRANTS TO DEVELOP EASTERN AND WESTERN PUBLIC RADIO FACILITIES, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute No. 2 for House Committee Substitute for H. B. 723, A BILL TO BE ENTITLED AN ACT TO SPECIFY WHEN A PROCESSING FEE MAY BE CHARGED FOR CHECKS SENT BY MAIL AND WHEN A COLLECTION AGENCY MAY COLLECT A PROCESSING FEE FOR RETURNED CHECKS, is returned for concurrence in Senate Committee Substitute No. 2 and is referred to the Committee on Judiciary No. 4.

Committee Substitute for S. B. 107, A BILL TO BE ENTITLED AN ACT TO REVISE THE ANNEXATION LAWS, is read the first time and is referred to the Committee on Judiciary No. 2.

Committee Substitute No. 2 for S. B. 330, A BILL TO BE ENTITLED AN ACT TO PREVENT THE SEXUAL EXPLOITATION OF CHILDREN, is read the first time and is referred to the Committee on Judiciary No. 1.

Representative Lancaster sends forth the following Conference Report and moves its adoption.

CONFERENCE REPORT

June 2, 1983

TO: THE PRESIDENT OF THE SENATE AND THE
SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on the House Committee Substitute for the Senate Committee Substitute No. 2 for Senate Bill 1, (Sixth Edition Engrossed 3/30/83), A BILL TO BE ENTITLED AN ACT TO PROVIDE SAFE ROADS BY REQUIRING MANDATORY JAIL TERMS FOR GROSSLY AGGRAVATED DRUNKEN DRIVERS, PROVIDING AN EFFECTIVE DETERRENT TO REDUCE THE INCIDENCE OF IMPAIRED DRIVING, AND CLARIFYING THE STATUTES RELATED TO DRINKING AND DRIVING, wish to report as follows:

The Conference Committee recommends that the differences between the Senate and House of Representatives regarding the House Committee Substitute for the Senate Committee Substitute No. 2 for Senate Bill 1 (Sixth Edition Engrossed 3/30/83) be resolved by the adoption of the text attached to this CONFERENCE REPORT.

Section 1. This act shall be known as the Safe Roads Act of 1983.

Sec. 2. The following table lists the parts and sections contained in this act:

PART I. DRIVING WHILE IMPAIRED.

— DMV RECORDS ADMISSIBLE TO PROVE PRIOR CONVICTION/Sec. 3.
— PRETRIAL RELEASE OF IMPAIRED DRIVERS/Sec. 4.
— CROSS-REFERENCE TO PROSECUTOR DISCLOSURE REQUIREMENTS/Sec. 5.
— IMMUNITY FOR COMMUNITY SERVICE WORK/Sec. 5.1.
— CROSS-REFERENCE TO CONTROLLED DRINKING PROGRAMS/Sec. 6.
— NO BEER DRINKING BY DRIVER/Sec. 7.
— MOTOR VEHICLE LAW DEFINITIONS/Sec. 8.
— IMPAIRED INSTRUCTION/Sec. 9.
— REVOCATION FOR IMPAIRED INSTRUCTION OR MILITARY REVOCATION/Sec. 10.
— IMPLIED CONSENT; REVOCATION FOR REFUSAL/Sec. 11.
— PRELIMINARY ROADSIDE TESTING/Sec. 12.
— REVOCATION FOR FAILURE TO COMPLETE DUI SCHOOL/Sec. 13.
— TEN-DAY, IMMEDIATE PRETRIAL REVOCATION/Sec. 14.
— REVOCATION FOR IMPAIRED DRIVING CONVICTION/Sec. 15.
— DMV PROCEDURE AFTER COURT-ORDERED REVOCATIONS/Sec. 16.
— LENGTHS OF REVOCATIONS FOR IMPAIRED DRIVING/Sec. 17.
— REVOCATION FOR FEDERAL COURT CONVICTIONS/Sec. 18.
— CONVICTION DEFINED/Sec. 19.
— CERTIFIED RECORDS BY P.I.N./Sec. 20.
— FORFEITURE OF VEHICLE/Sec. 21.
— IMPAIRED DRIVING CHECKS/Sec. 22.
— REPEAL OF PRESENT OFFENSES/Sec. 23.
— IMPAIRED DRIVING OFFENSE DEFINED/Sec. 24.
— PROSECUTOR DISCLOSURE REQUIREMENTS/Sec. 25.
— CHEMICAL TESTING PROCEDURES/Sec. 26.
— FELONY AND MISDEMEANOR DEATH BY VEHICLE/Sec. 27.
— IMPAIRED DRIVING APPLICABLE TO ROAD CONSTRUCTION VEHICLES/Sec. 28.
— SENTENCING PROCEDURES AND PUNISHMENT FOR IMPAIRED DRIVING OFFENSES/Sec. 29.
— ALCOHOL AND DRUG EDUCATION TRAFFIC SCHOOLS/Sec. 30.
— LIMITED DRIVING PRIVILEGE/Sec. 31.

PART II. PROTECTION OF YOUTHFUL DRIVERS.

— RAISING BEER PURCHASE AGE/Sec. 32.
— GROUNDS FOR REVOKING PROVISIONAL LICENSE/Sec. 33.
— DRIVING BY PROVISIONAL LICENSEE AFTER DRINKING/Sec. 34.
— FRAUDULENT USE OF ID; AIDER AND ABETTOR PUNISHMENT/Sec. 35.
— REVOCATION FOR UNDERAGE PURCHASERS OF ALCOHOL/Sec. 36.

PART III. DRAM SHOP OWNER LIABILITY.

— DRAM SHOP OWNER LIABILITY; BURDEN OF PROOF/Sec. 37.
— STATUTE OF LIMITATIONS/Sec. 38.
— ABC PERMITTEE'S REQUIREMENTS/Sec. 39.
— REVOCATION OF PERMIT FOR NONPAYMENT OF JUDGMENTS/Sec. 40.
— LOCAL BOARD NOT COUNTY OR CITY AGENCY/Sec. 41.
— NO LEGISLATIVE INTENT AS TO CIVIL LIABILITY FOR SALES TO INTOXICATED PERSONS/Sec. 41.1.

PART IV. EFFECTIVE DATE AND TRANSITIONAL PROVISIONS.

— SAVING CLAUSE FOR PROSECUTIONS AND REVOCATIONS/Sec. 42.

— APPLICABILITY OF DRAM SHOP PROVISIONS/Sec. 43.
— CAPTIONS NOT LIMIT TEXT/ONLY FOR REFERENCE/Sec 44.
— SEVERABILITY/Sec. 45.
— RESERVE FUND FOR IMPLEMENTATION/Sec. 45.1.
— EFFECTIVE DATE/Sec. 46.

PART I. DRIVING WHILE IMPAIRED.

— DMV RECORDS ADMISSIBLE TO PROVE PRIOR CONVICTION.

Sec. 3. G. S. 8-35.1 is rewritten to read as follows:

"§ 8-35.1. **Division of Motor Vehicles' record admissible as prima facie evidence of convictions of offenses involving impaired driving.** — Notwithstanding the provisions of G. S. 15A-924(d), a properly certified copy under G. S. 8-35 or G. S. 20-26(b) of the license records of a defendant kept by the Division of Motor Vehicles under G. S. 20-26(a) is admissible as prima facie evidence of any prior conviction of a defendant for an offense involving impaired driving as defined in G. S. 20-4.01(24a)."

— PRETRIAL RELEASE OF IMPAIRED DRIVERS.

Sec. 4. Chapter 15A of the General Statutes is amended by adding a new G. S. 15A-534.2 to read as follows:

"§ 15A-534.2. **Detention of impaired drivers.** — (a) A judicial official conducting an initial appearance for an offense involving impaired driving, as defined in G. S. 20-4.01(24a), must follow the procedure in G. S. 15A-511 except as modified by this section. This section may not be interpreted to impede a defendant's right to communicate with counsel and friends.

(b) If at the time of the initial appearance the judicial official finds by clear and convincing evidence that the impairment of the defendant's physical or mental faculties presents a danger, if he is released, of physical injury to himself or others or damage to property, the judicial official must order that the defendant be held in custody and inform the defendant that he will be held in custody until one of the requirements of subsection (c) is met; provided, however, that the judicial official must at this time determine the appropriate conditions of pretrial release in accordance with G. S. 15A-534.

(c) A defendant subject to detention under this section has the right to pretrial release under G. S. 15A-534 when the judicial official determines either that:

(1) The defendant's physical and mental faculties are no longer impaired to the extent that he presents a danger of physical injury to himself or others or of damage to property if he is released; or

(2) A sober, responsible adult is willing and able to assume responsibility for the defendant until his physical and mental faculties are no longer impaired. If the defendant is released to the custody of another, the judicial official may impose any other condition of pretrial release authorized by G. S. 15A-534, including a requirement that the defendant execute a secured appearance bond.

The defendant may be denied pretrial release under this section for a period no longer than 24 hours, and after such detention may be released only upon meeting the conditions of pretrial release set in accordance with G. S. 15A-534. If the defendant is detained for 24 hours, a judicial official must immediately determine the appropriate conditions of pretrial release in accordance with G. S. 15A-534.

(d) In making his determination whether a defendant detained under this section remains impaired, the judicial official may request that the defendant submit to periodic tests to determine his alcohol concentration. Instruments acceptable for making preliminary breath tests under G. S. 20-16.3 may be used for this purpose as well as instruments for making evidentiary chemical analyses. Unless there is evidence that the defendant is still impaired from a combination of alcohol and some other impairing substance or condition, a judicial official must determine that a defendant with an alcohol

concentration less than 0.05 is no longer impaired. The results of any periodic test to determine alcohol concentration may not be introduced in evidence:

(1) Against the defendant by the State in any criminal, civil, or administrative proceeding arising out of an offense involving impaired driving; or

(2) For any purpose in any proceeding if the test was not performed by a method approved by the Commission for Health Services under G. S. 20-139.1 and by a person licensed to administer the test by the Department of Human Resources.

The fact that a defendant refused to comply with a judicial official's request that he submit to a chemical analysis may not be admitted into evidence in any criminal action, administrative proceeding, or a civil action to review a decision reached by an administrative agency in which the defendant is a party."

— CROSS-REFERENCE TO PROSECUTOR DISCLOSURE REQUIREMENTS.

Sec. 5. G. S. 15A-931(a) is amended by deleting the first word of the subsection and inserting in its place the words and punctuation "Except as provided in G. S. 20-138.4, the".

— IMMUNITY FOR COMMUNITY SERVICE WORK.

Sec. 5.1. G. S. 15A-1342 is amended by adding a new subsection (j) to read as follows:

"(j) Immunity for Injury to Defendant Performing Community Service. A person is not liable for damages for any injury or loss sustained by defendant performing community or reparation service unless the injury is caused by the person's gross negligence or intentional wrongdoing. As used in this subsection, 'person' includes any governmental unit or agency, nonprofit corporation, or other nonprofit agency that is supervising the defendant or for whom the defendant is performing community service work, as well as any person employed by the agency or corporation while acting in the scope and course of his employment. This subsection does not affect the immunity from civil liability in tort available to local governmental units or agencies. Notice of the provisions of this subsection must be furnished to the defendant at the time he is served with a copy of the probation judgment or deferred prosecution order."

— CROSS-REFERENCE TO CONTROLLED DRINKING PROGRAMS.

Sec. 6. G. S. 18B-103(9) is rewritten to read as follows:

"(9) The possession and use of alcohol acquired for controlled-drinking programs as authorized under G. S. 20-139.1(g)."

— NO BEER DRINKING BY DRIVER.

Sec. 7. G. S. 18B-401 is amended in subsection (a) by deleting the caption and the first sentence of that subsection and inserting in their place the following caption and sentences:

"(a) Opened Containers. It shall be unlawful for a person to transport fortified wine or spirituous liquor in the passenger area of a motor vehicle in other than the manufacturer's unopened original container. It shall be unlawful for a person who is driving a motor vehicle on a highway or public vehicular area to consume in the passenger area of that vehicle any malt beverage or unfortified wine."

G. S. 18B-401 is further amended in subsection (c) by deleting from that subsection the word "Definition" in the caption and inserting in its place the word "Definitions", and by inserting immediately after the caption the following sentences: "The definitions in Chapter 20 of the General Statutes apply in interpreting this section. If the seal on a container of alcoholic beverages has been broken, it is opened within the meaning of this section."

— MOTOR VEHICLE LAW DEFINITIONS.

Sec. 8. G. S. 20-4.01 is amended by rewriting subdivision 32 of that section and by

adding new subdivisions (0.1), (0.2), (3a), (3b), (14a), (24a), (33a) and (48a) to read as follows:

"(0.1) Alcohol. Ethyl alcohol.

"(0.2) Alcohol Concentration. The concentration of alcohol in a person, expressed either as:

a. Grams of alcohol per 100 milliliters of blood; or

b. Grams of alcohol per 210 liters of breath.

"(3a) Chemical Analysis. A chemical test of the breath or blood of a person to determine his alcohol concentration, performed in accordance with G. S. 20-139.1. The term 'chemical analysis' includes duplicate or sequential analyses when necessary or desirable to insure the integrity of test results.

"(3b) Chemical Analyst. A person granted a permit by the Department of Human Resources under G. S. 20-139.1 to perform chemical analyses.

"(14a) Impairing Substance. Alcohol, controlled substance under Chapter 90 of the General Statutes, any other drug or psychoactive substance capable of impairing a person's physical or mental faculties, or any combination of these substances.

"(24a) Offense Involving Impaired Driving. Any of the following offenses:

a. Impaired driving under G. S. 20-138.1.

b. Death by vehicle under G. S. 20-141.4 when conviction is based upon impaired driving or a substantially equivalent offense under previous law.

c. Involuntary manslaughter under G. S. 14-18 when conviction is based upon impaired driving or substantially equivalent offense under previous law.

d. An offense committed in another jurisdiction substantially equivalent to the offenses in subparagraphs a through c.

e. A repealed or superseded offense substantially equivalent to impaired driving, including offenses under former G. S. 20-138 or G. S. 20-139.

A conviction under former G. S. 20-140(c) is not an offense involving impaired driving.

"(32) Public Vehicular Area. Any area within the State of North Carolina that is generally open to and used by the public, including by way of illustration and not limitation any drive, driveway, road, roadway, street, alley, or parking lot upon the grounds and premises of:

a. Any public or private hospital, college, university, school, orphanage, church, or any of the institutions, parks or other facilities maintained and supported by the State of North Carolina or any of its subdivisions; or

b. Any service station, drive-in theater, supermarket, store, restaurant, or office building, or any other business, residential, or municipal establishment providing parking space for customers, patrons, or the public; or

c. Any property owned by the United States and subject to the jurisdiction of the State of North Carolina. (The inclusion of property owned by the United States in this definition shall not limit assimilation of North Carolina law when applicable under the provisions of Title 18, United States Code, Section 13.)

The term 'public vehicular area' shall also include any beach area used by the public for vehicular traffic as well as any road opened to vehicular traffic within or leading to a subdivision for use by subdivision residents, their guests, and members of the public, whether or not the subdivision roads have been offered for dedication to the public. The term 'public vehicular area' shall not be construed to mean any private property not generally open to and used by the public.

"(33a) Relevant Time after the Driving. Any time after the driving in which the driver still has in his body alcohol consumed before or during the driving.

"(48a) Under the Influence of an Impairing Substance. The state of a person having his physical or mental faculties, or both, appreciably impaired by an impairing substance."

— IMPAIRED INSTRUCTION.

Sec. 9. G. S. 20-12.1 is rewritten to read as follows:

"§ 20-12.1. **Impaired instruction.** — (a) It is unlawful for any person to accompany another person driving a motor vehicle, in accordance with G. S. 20-11, or instruct another person driving a motor vehicle, in accordance with G. S. 20-7(l-1) and (m) or G. S. 20-12:

(1) While the person accompanying or instructing is under the influence of an impairing substance; or

(2) After having consumed sufficient alcohol that he has, at any relevant time after the driving, an alcohol concentration of 0.10 or more.

(b) An offense under this section is an implied-consent offense under G. S. 20-16.2."

— REVOCATION FOR IMPAIRED INSTRUCTION OR MILITARY REVOCATION.

Sec. 10. G. S. 20-16(a) is amended by deleting the period at the end of subdivision (8) and replacing it with ";" and by adding the following two subdivisions:

"(8a) Has been convicted of impaired instruction under G. S. 20-12.1;

"(8b) Has violated on a military installation a regulation of that installation prohibiting conduct substantially equivalent to conduct that constitutes impaired driving under G. S. 20-138.1 and, as a result of that violation, has had his privilege to drive on that installation revoked or suspended after an administrative hearing authorized by the commanding officer of the installation and that commanding officer has general court martial jurisdiction;".

— IMPLIED CONSENT; REVOCATION FOR REFUSAL.

Sec. 11. G. S. 20-16.2 is rewritten to read as follows:

"§ 20-16.2. **Implied consent to chemical analysis; mandatory revocation of license in event of refusal; right of driver to request analysis.** — (a) Basis for Charging Officer To Require Chemical Analysis; Notification of Rights. Any person who drives a vehicle on a highway or public vehicular area thereby gives consent to a chemical analysis if he is charged with an implied-consent offense. The charging officer must designate the type of chemical analysis to be administered, and it may be administered when he has reasonable grounds to believe that the person charged has committed the implied-consent offense. Except as provided in subsection (b), the person charged must be taken before a chemical analyst authorized to administer a test of a person's breath, who must inform the person orally and also give him a notice in writing that:

(1) He has a right to refuse to be tested.

(2) Refusal to take any required test or tests will result in an immediate revocation of his driving privilege for at least 10 days and an additional 12-month revocation by the Division of Motor Vehicles.

(3) The test results, or the fact of his refusal, will be admissible in evidence at trial on the offense charged.

(4) If any test reveals an alcohol concentration of 0.10 or more, his driving privilege will be revoked immediately for at least 10 days.

(5) He may have a qualified person of his own choosing administer a chemical test or tests in addition to any test administered at the direction of the charging officer.

(6) He has the right to call an attorney and select a witness to view for him the testing procedures, but the testing may not be delayed for these purposes longer than 30 minutes from the time he is notified of his rights.

(a1) Meaning of Terms. Under this section, an 'implied-consent offense' is an offense involving impaired driving or an alcohol-related offense made subject to the procedures of this section. A person is 'charged' with an offense if he is arrested for it or if criminal process for the offense has been issued. A 'charging officer' is a law enforcement officer who arrests the person charged, lodges the charge, or assists the officer who arrested the

person or lodged the charge by assuming custody of the person to make the request required by subsection (c) and, if necessary, to present the person to a judicial official for an initial appearance.

(b) Unconscious Person May be Tested. If a charging officer has reasonable grounds to believe that a person has committed an implied-consent offense, and the person is unconscious or otherwise in a condition that makes him incapable of refusal, the charging officer may direct the taking of a blood sample by a person qualified under G. S. 20-139.1 or may direct the administration of any other chemical analysis that may be effectively performed. In this instance the notification of rights set out in subsection (a) and the request required by subsection (c) are not necessary.

(c) Request to Submit to Chemical Analysis; Procedure upon Refusal. The charging officer, in the presence of the chemical analyst who has notified the person of his rights under subsection (a), must request the person charged to submit to the type of chemical analysis designated. If the person charged willfully refuses to submit to that chemical analysis, none may be given under the provisions of this section, but the refusal does not preclude testing under other applicable procedures of law. Then the charging officer and the chemical analyst must without unnecessary delay go before an official authorized to administer oaths and execute an affidavit stating that the person charged, after being advised of his rights under subsection (a), willfully refused to submit to a chemical analysis at the request of the charging officer. The charging officer must immediately mail the affidavit to the Division. If the person's refusal to submit to a chemical analysis occurs in a case involving death or critical injury to another person, the charging officer must include that fact in the affidavit mailed to the Division.

(d) Consequences of Refusal; Right to Hearing Before Division; Issues. Upon receipt of a properly executed affidavit required by subsection (c), the Division must expeditiously notify the person charged that his license to drive is revoked for 12 months, effective on the tenth calendar day after the mailing of the revocation order unless, before the effective date of the order, the person requests in writing a hearing before the Division. If the person properly requests a hearing, he retains his license, unless it is revoked under some other provision of law, until the hearing is held, the person withdraws his request, or he fails to appear at a scheduled hearing. The person may request the hearing officer to subpoena the charging officer, the chemical analyst, or both to appear at the hearing if he makes the request in writing at least three days before the hearing. The person may subpoena any other witness he deems necessary, and the provisions of G. S. 1A-1, Rule 45, apply to the issuance and service of all subpoenas issued under the authority of this section. The hearing must be conducted in the county where the charge was brought, under the provisions for hearings held under G. S. 20-16(d), except that the hearing is limited to consideration of whether:

(1) The person was charged with an implied-consent offense;
(2) The charging officer had reasonable grounds to believe that the person had committed an implied-consent offense;
(3) The implied-consent offense charged involved death or critical injury to another person, if this allegation is in the affidavit;
(4) The person was notified of his rights as required by subsection (a); and
(5) The person willfully refused to submit to a chemical analysis upon the request of the charging officer.

If the Division finds that the conditions specified in this subsection are met, it must order the revocation sustained. If the Division finds that any of the conditions is not met, it must rescind the revocation. If the revocation is sustained, the person must surrender his license immediately upon notification by the Division.

(d1) Consequences of Refusal in Case Involving Death or Critical Injury. If the refusal occurred in a case involving death or critical injury to another person, no limited driving

privilege may be issued. The 12-month revocation begins only after all other periods of revocation have terminated unless the person's license is revoked pursuant to G. S. 20-28, 20-28.1, 20-19(d), or 20-19(e). If the revocation is based on those sections, the revocation under this subsection begins at the time and in the manner specified in subsection (d) for revocations under this section. However, the person's eligibility for a hearing to determine if the revocation under those sections should be rescinded is postponed for one year from the date he would otherwise have been eligible for such a hearing. If the person's driver's license is again revoked while the 12-month revocation under this subsection is in effect, that revocation, whether imposed by a court or by the Division, may only take effect after the period of revocation under this subsection has terminated.

(e) Right to Hearing in Superior Court. If the revocation is sustained after the hearing, the person whose license has been revoked has the right to file a petition in the superior court for a hearing de novo upon the issues listed in subsection (d), in the same manner and under the same conditions as provided in G. S. 20-25 except that the de novo hearing is conducted in the judicial district where the charge was made.

(e1) Limited Driving Privilege after Six Months in Certain Instances. A person whose driver's license has been revoked under this section may apply for and a judge authorized to do so by this subsection may issue a limited driving privilege if:

(1) At the time of the refusal, the applicant held a valid driver's license;
(2) At the time of the refusal, he had not within the preceding 10 years been convicted of an offense involving impaired driving;
(3) At the time of the refusal, he had not in the preceding 10 years willfully refused to submit to a chemical analysis under this section;
(4) The implied-consent offense charged did not involve death or critical injury to another person;
(5) The underlying charge for which the defendant was requested to submit to a chemical analysis has been finally disposed of:
    a. Other than by conviction; or
    b. By a conviction of impaired driving under G. S. 20-138.1, at a punishment level authorizing issuance of a limited driving privilege under G. S. 20-179.3(b), and he has complied with at least one of the mandatory conditions of probation listed for the punishment level under which he was sentenced;
(6) Subsequent to the refusal he has had no unresolved pending charges for or additional convictions of an offense involving impaired driving; and
(7) His license has been revoked for at least six months for the refusal.

Except as modified in this subsection, the provisions of G. S. 20-179.3 relating to the procedure for application and conduct of the hearing and the restrictions required or authorized to be included in the limited driving privilege apply to applications under this subsection. If the case was finally disposed of in the district court, the hearing must be conducted in the district in which the refusal occurred by a district court judge. If the case was finally disposed of in the superior court, the hearing must be conducted in the district in which the refusal occurred by a superior court judge. A limited driving privilege issued under this section authorizes a person to drive if his license is revoked solely under this section or solely under this section and G. S. 20-17(2). If the person's license is revoked for any other reason, the limited driving privilege is invalid.

(f) Notice to Other States as to Nonresidents. When it has been finally determined under the procedures of this section that a nonresident's privilege to drive a motor vehicle in this State has been revoked, the Division must give information in writing of the action taken to the motor vehicle administrator of the state of the person's residence and of any state in which he has a license.

(g) Repealed.

(h) Repealed.

(i) Right to Chemical Analysis Before Arrest or Charge. A person stopped or questioned by a law enforcement officer who is investigating whether the person may have committed an implied-consent offense may request the administration of a chemical analysis before any arrest or other charge is made for the offense. Upon this request, the officer must afford the person the opportunity to have a chemical analysis, if available, upon the procedures applicable had the person been charged. The request constitutes the person's consent to be transported by the law enforcement officer to the place where the chemical analysis is to be administered. Before the chemical analysis is made, the person must sign a form, to be supplied by the Division, confirming his request. The results of the chemical analysis are admissible in evidence in any proceeding in which they are relevant."

— PRELIMINARY ROADSIDE TESTING.

Sec. 12. G. S. 20-16.3 is rewritten to read as follows:

"§ 20-16.3. **Alcohol screening tests required of certain drivers; approval of test devices and manner of use by Commission for Health Services; use of test results or refusal.** — (a) When Alcohol Screening Test May Be Required; Not an Arrest. A law enforcement officer may require the driver of a vehicle to submit to an alcohol screening test within a relevant time after the driving if the officer has:

(1) Reasonable grounds to believe that the driver has consumed alcohol and has:
   a. Committed a moving traffic violation; or
   b. Been involved in an accident or collision; or

(2) An articulable and reasonable suspicion that the driver has committed an implied-consent offense under G. S. 20-16.2, and the driver has been lawfully stopped for a driver's license check or otherwise lawfully stopped or lawfully encountered by the officer in the course of the performance of the officer's duties.

Requiring a driver to submit to an alcohol screening test in accordance with this section does not in itself constitute an arrest.

(b) Approval of Screening Devices and Manner of Use. The Commission for Health Services is directed to examine and approve devices suitable for use by law enforcement officers in making on-the-scene tests of drivers for alcohol concentration. For each alcohol screening device or class of devices approved, the Commission must adopt regulations governing the manner of use of the device. For any alcohol screening device that tests the breath of a driver, the Commission is directed to specify in its regulations the shortest feasible minimum waiting period that does not produce an unacceptably high number of false positive test results.

(c) Tests Must Be Made with Approved Devices and in Approved Manner. No screening test for alcohol concentration is a valid one under this section unless the device used is one approved by the Commission for Health Services and the screening test is conducted in accordance with the applicable regulations of the Commission as to the manner of its use.

(d) Use of Screening Test Results or Refusal by Officer. The results of an alcohol screening test or a driver's refusal to submit may be used by a law enforcement officer, a court, or an administrative agency in determining if there are reasonable grounds for believing that the driver has committed an implied-consent offense under G. S. 20-16.2. Negative or low results on the alcohol screening test may be used in factually appropriate cases by the officer, a court, or an administrative agency in determining whether a person's alleged impairment is caused by an impairing substance other than alcohol. Except as provided in this subsection, the results of an alcohol screening test may not be admitted in evidence in any court or administrative proceeding."

— REVOCATION FOR FAILURE TO COMPLETE DUI SCHOOL.

Sec. 13. Chapter 20 of the General Statutes is amended by adding a new G. S. 20-16.4 to read as follows:

"§ 20-16.4. **Revocation for failure to complete Alcohol and Drug Education Traffic School.** — (a) Division Must Revoke upon Notice of Willful Failure. Upon receipt of notice from an Alcohol and Drug Education Traffic School that a person assigned to the school as a court-imposed condition of probation has willfully failed to complete the program of instruction at the school successfully, the Division must revoke the person's driver's license for 12 months. A limited driving privilege does not authorize a person to drive while his license is revoked pursuant to the provisions of this section.

(b) Right of Notification and Hearing. Upon receipt of a properly executed notice of failure from the school, the Division must expeditiously notify the person that his license is revoked for 12 months, effective on the tenth calendar day after the mailing of the revocation order unless, before the effective date of the order, the person requests in writing a hearing before the Division. If the person properly requests a hearing, he retains his license, unless it is revoked under some other provision of law, until the hearing is held, the person withdraws the request, or he fails to appear at a scheduled hearing. The person may request the hearing officer to subpoena the appropriate school personnel to appear in person at the hearing if he makes the request in writing at least three days before the hearing. The person may subpoena any other witness he deems necessary, and the provisions of G. S. 1A-1, Rule 45, apply to the issuance and service of all subpoenas issued under the authority of this section.

(c) Hearing Procedures; Issues. The hearing must be conducted in the county where the school is located, under the provisions for hearings held under G. S. 20-16(d), except that the hearing is limited to consideration of whether:

(1) The person was validly assigned to the school by a court;

(2) The person failed to complete the course of instruction successfully; and

(3) The failure was willful.

If the Division finds that the conditions specified in this subsection are met, it must order the revocation sustained. If the Division finds that any of the conditions is not met, it must rescind the revocation. If the revocation is sustained, the person must surrender his license immediately upon notification by the Division. The person may file a petition in superior court for a de novo review of the issues listed in this section, in the same manner and under the same conditions as provided in G. S. 20-25, except that the hearing must be held in the judicial district in which the school is located.

(d) When Failure Not Willful. A failure to complete the course of instruction successfully is not willful if it is based solely on a failure:

(1) To pay the prescribed fee and the person was unable to pay after making reasonable efforts to secure funds to pay it; or

(2) To attend classes and the person was unable to attend because of reasons over which he had no control other than alcoholism or drug abuse."

— TEN-DAY, IMMEDIATE PRETRIAL REVOCATION.

Sec. 14. Chapter 20 of the General Statutes is amended by adding a new section, G. S. 20-16.5, to read as follows:

"§ 20-16.5. **Immediate civil license revocation for certain persons charged with implied-consent offenses.** — (a) Definitions. As used in this section the following words and phrases have the following meanings:

(1) Charging officer. As described in G. S. 20-16.2(a1).

(2) Clerk. As defined in G. S. 15A-101(2).

(3) Judicial Official. As defined in G. S. 15A-101(5).

(4) Revocation Report. A sworn statement by a charging officer and a chemical analyst containing facts indicating that the conditions of subsection (b) have

been met. When one chemical analyst analyzes a person's blood and another chemical analyst informs a person of his rights and responsibilities under G. S. 20-16.2, the report must include the statements of both analysts.

(5) Surrender of a Driver's License. The act of turning over to a court or a law enforcement officer the person's most recent, valid driver's license or learner's permit issued by the Division or by a similar agency in another jurisdiction, or a limited driving privilege issued by a North Carolina court.

(b) Revocations for Persons Who Refuse Chemical Analyses or Have Alcohol Concentrations of 0.10 or More. A person's driver's license is subject to revocation under this section if:

(1) A law enforcement officer has reasonable grounds to believe that the person has committed an offense subject to the implied-consent provisions of G. S. 20-16.2;

(2) The person is charged with that offense as provided in G. S. 20-16.2(a);

(3) The charging officer and the chemical analyst comply with the procedures of G. S. 20-16.2 and G. S. 20-139.1 in requiring the person's submission to or procuring a chemical analysis; and

(4) The person:

a. Willfully refuses to submit to the chemical analysis; or

b. Has an alcohol concentration of 0.10 or more within a relevant time after the driving.

(c) Duty of Charging Officers and Chemical Analysts to Report to Judicial Officials. If a person's driver's license is subject to revocation under this section, the charging officer and the chemical analyst must execute a revocation report. If the person has refused to submit to a chemical analysis, a copy of the report to be submitted to the Division under G. S. 20-16.2(c) may be substituted for the revocation report if it contains the information required by this section. It is the specific duty of the charging officer to make sure that the report is expeditiously filed with a judicial official as required by this section.

(d) Which Judicial Official Must Receive Report. The judicial official with whom the revocation report must be filed is:

(1) The judicial official conducting the initial appearance on the underlying criminal charge if:

a. No revocation report has previously been filed; and

b. At the time of the initial appearance the results of the chemical analysis, if administered, or the reports indicating a refusal, are available.

(2) A judicial official conducting any other proceeding relating to the underlying criminal charge at which the person is present, if no report has previously been filed.

(3) The clerk of superior court in the county in which the underlying criminal charge has been brought if subdivisions (1) and (2) are not applicable at the time the charging officer must file the report.

(e) Procedure if Report Filed with Judicial Official When Person Is Present. If a properly executed revocation report concerning a person is filed with a judicial official when the person is present before that official, the judicial official must, after completing any other proceedings involving the person, determine whether there is probable cause to believe that each of the conditions of subsection (b) has been met. If he determines that there is such probable cause, he must enter an order revoking the person's driver's license for the period required in this subsection. The judicial official must order the person to surrender his license and if necessary may order a law enforcement officer to seize the license. The judicial official must give the person a copy of the revocation order. In addition to setting it out in the order the judicial official must personally inform the person of his right to a hearing as specified in subsection (g), and that his license remains revoked pending the hearing. Unless the person is not currently licensed, the revocation under this

subsection begins at the time the revocation order is issued and continues until the person's license has been surrendered for 10 days and the person has paid the applicable costs. If the person is not currently licensed, the revocation continues until 10 days from the date the revocation order is issued and the person has paid the applicable costs.

(f) Procedure if Report Filed with Clerk of Court When Person Not Present. When a clerk receives a properly executed report under subdivision (d) (3) and the person named in the revocation report is not present before the clerk, the clerk must determine whether there is probable cause to believe that each of the conditions of subsection (b) has been met. If he determines that there is such probable cause, he must mail to the person a revocation order by first class mail. The order must direct that the person on or before the effective date of the order either surrender his license to the clerk or appear before the clerk and demonstrate that he is not currently licensed, and the order must inform the person of the time and effective date of the revocation and of its duration, of his right to a hearing as specified in subsection (g), and that the revocation remains in effect pending the hearing. Revocation orders mailed under this subsection become effective on the fourth day after the order is deposited in the United States mail. If within five working days of the effective date of the order, the person does not surrender his license to the clerk or appear before the clerk to demonstrate that he is not currently licensed, the clerk must immediately issue a pick-up order. The pick-up order under this subsection may be issued by the clerk to any law enforcement officer to pick up the person's driver's license in accordance with G. S. 20-29 as if the pick-up order had been issued by the Division. A revocation under this subsection begins at the date specified in the order and continues until the person's license has been revoked for the period specified in this subsection and the person has paid the applicable costs. The period of revocation under this subsection is:

(1) Ten days from the time the person surrenders his license to the court, if the surrender occurs within five working days of the effective date of the order; or

(2) Ten days after the person appears before the clerk and demonstrates that he is not currently licensed to drive, if the appearance occurs within five working days of the effective date of the revocation order; or

(3) Thirty days from the time:

a. The person's driver's license is picked up by a law enforcement officer following service of a pick-up order; or

b. The person demonstrates to a law enforcement officer who has a pick-up order for his license that he is not currently licensed; or

c. The person's driver's license is surrendered to the court if the surrender occurs more than five working days after the effective date of the revocation order; or

d. The person appears before the clerk to demonstrate that he is not currently licensed, if he appears more than five working days after the effective date of the revocation order.

When a pick-up order is issued, it must inform the person of his right to a hearing as specified in subsection (g), and that the revocation remains in effect pending the hearing. An officer serving a pick-up order under this subsection must return the order to the court indicating the date it was served or that he was unable to serve the order. If the license was surrendered, the officer serving the order must deposit it with the clerk within three days of the surrender.

(g) Hearing Before Magistrate or Judge if Person Contests Validity of Revocation. A person whose license is revoked under this section may request in writing a hearing to contest the validity of the revocation. The request may be made at the time of the person's initial appearance, or at any later time to the clerk or a magistrate designated by the clerk, and may specifically request that the hearing be conducted by a district court judge. The Administrative Office of the Courts must develop a hearing request form for any person

requesting a hearing. Unless a district court judge is requested, the hearing must be conducted within the county by a magistrate assigned by the chief district judge to conduct such hearings. If the person requests that a district court judge hold the hearing, the hearing must be conducted within the judicial district by a district court judge assigned to conduct such hearings. The revocation remains in effect pending the hearing, but the hearing must be held within three working days following the request if the hearing is before a magistrate or within five working days if the hearing is before a district court judge. The request for the hearing must specify the grounds upon which the validity of the revocation is challenged. A witness may submit his evidence by affidavit unless he is subpoenaed to appear. Any person who appears and testifies is subject to questioning by the judicial official conducting the hearing, and the judicial official may adjourn the hearing to seek additional evidence if he is not satisfied with the accuracy or completeness of evidence. The person contesting the validity of the revocation may, but is not required to, testify in his own behalf. Unless contested by the person requesting the hearing, the judicial official may accept as true any matter stated in the revocation report. If any relevant condition under subsection (b) is contested, the judicial official must find by the greater weight of the evidence that the condition was met in order to sustain the revocation. At the conclusion of the hearing the judicial official must enter an order sustaining or rescinding the revocation. The judicial official's findings are without prejudice to the person contesting the revocation and to any other potential party as to any other proceedings, civil or criminal, that may involve facts bearing upon the conditions in subsection (b) considered by the judicial official. The decision of the judicial official is final and may not be appealed in the General Court of Justice. If the hearing is not held and completed within three working days of the written request for a hearing before a magistrate or within five working days of the written request for a hearing before a district court judge, the judicial official must enter an order rescinding the revocation, unless the person contesting the revocation contributed to the delay in completing the hearing.

(h) Return of License. After the applicable period of revocation under this section, or if the magistrate or judge orders the revocation rescinded, the person whose license was revoked may apply to the clerk for return of his surrendered license. Unless the clerk finds that the person is not eligible to use the surrendered license, he must return it if:

(1) The applicable period of revocation has passed and the person has tendered payment for the costs under subsection (j); or

(2) The magistrate or judge has ordered the revocation rescinded.

If the license has expired, he may return it to the person with a caution that it is no longer valid. Otherwise, if the person is not eligible to use the license and the license was issued by the Division or in another state, the clerk must mail it to the Division. If the person has surrendered his copy of a limited driving privilege and he is no longer eligible to use it, the clerk must make a record that he has withheld the limited driving privilege and forward that record to the clerk in the county in which the limited driving privilege was issued for filing in the case file.

(i) Effect of Revocations. A revocation under this section revokes a person's privilege to drive in North Carolina whatever the source of his authorization to drive. Revocations under this section are independent of and run concurrently with any other revocations. No court imposing a period of revocation following conviction of an offense involving impaired driving may give credit for any period of revocation imposed under this section. A person is not eligible for a limited driving privilege under any statute while his license is revoked under this section.

(j) Costs. Unless the magistrate or judge orders the revocation rescinded, a person whose license is revoked under this section must pay a fee of twenty-five dollars ($25.00) as costs for the action before his license may be returned under subsection (h). The costs collected under this section go to the State.

(k) Report to Division. Except as provided below, the clerk must mail a report to the Division within 10 working days of the return of a license under this section or of the termination of a revocation of the driving privilege of a person not currently licensed. The report must identify the person whose license has been revoked and specify the dates on which his license was revoked. No report need be made to the Division, however, if there was a surrender of the driver's license issued by the Division, a ten-day minimum revocation was imposed, and the license was properly returned to the person under subsection (h) within five working days after the ten-day period had elapsed.

(l) Restoration Fee for Unlicensed Persons. If a person whose license is revoked under this section has no valid license, he must pay the restoration fee required by G. S. 20-7 before he may apply for a license from the Division.

(m) Modification of Revocation Order. Any judicial official presiding over a proceeding under this section may issue a modified order if he determines that an inappropriate order has been issued.

(n) Exception for Revoked Licenses. Notwithstanding any other provision of this section, if the judicial official required to issue a revocation order under this section determines that the person whose license is subject to revocation under subsection (b):

(1) Has a currently revoked driver's license;

(2) Has no limited driving privilege; and

(3) Will not become eligible for restoration of his license or for a limited driving privilege during the period of revocation required by this section,

the judicial official need not issue a revocation order under this section. In this event the judicial official must file in the records of the civil proceeding a copy of any documentary evidence and set out in writing all other evidence on which he relies in making his determination.

(o) Designation of Proceedings. Proceedings under this section are civil actions, and must be identified by the caption 'In the Matter of _____' and filed as directed by the Administrative Office of the Courts."

— REVOCATION FOR IMPAIRED DRIVING CONVICTION.

Sec. 15. G. S. 20-17(2) is rewritten to read as follows:

"(2) Impaired driving under G. S. 20-138.1."

— DMV PROCEDURE AFTER COURT-ORDERED REVOCATIONS.

Sec. 16. Chapter 20 of the General Statutes is amended to add a new G. S. 20-17.2 to read as follows:

"§ 20-17.2. **Court-ordered revocations for offenses involving impaired driving; procedure for notice.** — When a person convicted of an offense involving impaired driving is ordered by a court not to operate a motor vehicle for a specified period of time as a condition of probation, the Division, upon receiving a copy of the judgement, must revoke the person's driver's license for the period and dates specified in the order of the court. The entry of the probationary judgment by the court is notice to the person that his license is revoked, and the Division need not notify the person of his revocation. In judgment forms for use in impaired driving cases under G. S. 20-138.1 the Administrative Office of the Courts must provide for inclusion of a notice provision, when applicable, of the terms of this section."

— LENGTHS OF REVOCATIONS FOR IMPAIRED DRIVING.

Sec. 17. G. S. 20-19 is amended by repealing subsection (h), adding a new subsection (i), and rewriting subsections (c1), (d), and (e) to read as follows:

"(c1) When a license is revoked under subdivision (2) of G. S. 20-17, and the period of revocation is not determined by subsection (d) or (e) of this section, the period of revocation is one year.

(d) When a person's license is revoked under subdivision (2) of G. S. 20-17 and the person has another conviction of an offense involving impaired driving, occurring within the three years immediately preceding the date of the offense for which his license is being revoked, the period of revocation is four years, and this period may be reduced only as provided in this section. The Division may conditionally restore the person's license after it has been revoked for at least two years under this subsection if he provides the Division with satisfactory proof that:

(1) He has not in the period of revocation been convicted in North Carolina or any other state or federal jurisdiction of a motor vehicle offense, an alcoholic beverage control law offense, a drug law offense, or any other criminal offense involving the possession or consumption of alcohol or drugs; and

(2) He is not currently an excessive user of alcohol or drugs.

If the Division restores the person's license, it may place reasonable conditions or restrictions on the person for the duration of the original revocation period.

(e) When a person's license is revoked under subdivision (2) of G. S. 20-17 and the person has two or more previous convictions of an offense involving impaired driving, and the most recent conviction occured within the five years immediately preceding the date of the offense for which his license is being revoked, the revocation is permanent. The Division may, however, conditionally restore the person's license after it has been revoked for at least three years under this subsection if he provides the Division with satisfactory proof that:

(1) In the three years immediately preceding the person's application for a restored license, he has not been convicted in North Carolina or in any other state or federal court of a motor vehicle offense, an alcohol beverage control law offense, a drug law offense, or any criminal offense involving the consumption of alcohol or drugs; and

(2) He is not currently an excessive user of alcohol or drugs.

If the Division restores the person's license, it may place reasonable conditions or restrictions on the person for any period up to three years from the date of restoration.

(i) When a person's license is revoked under subdivision (1) or (9) of G. S. 20-17 and the offense is one involving impaired driving, the revocation is permanent. The Division may, however, conditionally restore the person's license after it has been revoked for at least three years in accordance with the procedure in subsection (e) of this section."

— REVOCATION FOR FEDERAL COURT CONVICTIONS.

Sec. 18. G. S. 20-23.2 is rewritten to read as follows:

"§ 20-23.2. **Suspension of license for conviction of offense involving impaired driving in federal court.** — Upon receipt of notice of conviction in any court of the federal government of an offense involving impaired driving, the Division is authorized to revoke the driving privilege of the person convicted in the same manner as if the conviction has occurred in a court of this State."

— CONVICTION DEFINED.

Sec. 19. G. S. 20-24, as it appears in the 1981 Cumulative Supplement to the 1978 Replacement Volume 1C of the General Statutes, is amended in subdivision (c) (1) by inserting "with a magistrate's order or" between "served" and "with" on line 7 of the subsection, and is further amended by adding a new subsection to read as follows:

"(e) When a court sends a report of a conviction of manslaughter to the Division, it must indicate on that report whether the manslaughter conviction is one involving impaired driving."

— CERTIFIED RECORDS BY P.I.N.

Sec. 20. G. S. 20-26(b) is amended by deleting the second sentence and inserting in its place the following sentences: "A certified copy of a driver's records kept pursuant to subsection (a) may be sent by the Police Information Network. In addition to the uses

authorized by G. S. 8-35.1, a copy certified under the authority of this section is admissible as prima facie evidence of the status of the person's license."

— FORFEITURE OF VEHICLE.

Section 21. Chapter 20 of the General Statutes is amended by adding a new G. S. 20-28.2 to read:

"§ 20-28.2. **Forfeiture of motor vehicle for impaired driving after impaired driving license revocation.** — (a) Meaning of 'Impaired Driving License Revocation'. The revocation of a person's driver's license is an impaired driving license revocation if the revocation is pursuant to:

(1) G. S. 20-13.2, 20-16(a)(8b), 20-16.2, 20-16.4, 20-16.5, 20-17(2), or 20-17.2; or

(2) G. S. 20-16(7), 20-17(1), or 20-17(9), if the offense involves impaired driving.

(b) When Motor Vehicle Becomes Property Subject to Forfeiture. If at a sentencing hearing conducted pursuant to G. S. 20-179 the judge determines that the grossly aggravating factor described in G. S. 20-179(c)(2) applies, the motor vehicle that was driven by the defendant at the time he committed the offense of impaired driving becomes property subject to forfeiture.

(c) Duty of Prosecutor To Notify Possible Innocent Parties. In any case in which a prosecutor determines that a motor vehicle driven by a defendant may be subject to forfeiture under this section, the prosecutor must determine the identity of the vehicle owner as shown on the certificate of title for the vehicle and he must also determine if there are any security interests noted on the vehicle's certificate of title. The State must notify the holder of each security interest that the vehicle may be subject to forfeiture and that he may intervene to protect his interest. If the defendant is not the owner, a similar notice must be served on the owner. The notice may be served by any means reasonably likely to provide actual notice, and must be served at least fourteen days before the forfeiture hearing.

(d) Duty of Judge. The judge at sentencing must hold a hearing to determine if the vehicle should be forfeited. At the hearing the judge may order the forfeiture if he finds that:

(1) The vehicle is subject to forfeiture;

(2) The vehicle is not primarily used by a member of the defendant's family or household for a business purpose or for driving to and from work or school;

(3) All potential innocent parties have been notified as required in subsection (c); and

(4) No party has shown that he is an innocent party as described in subsection (f).

If the owner or the holder of a security interest has not been notified, the judge may continue the hearing to allow the State to serve the notice or he may decline to order forfeiture. In any case in which a judge does not order the forfeiture of a vehicle subject to forefeiture, he must enter into the record detailed, written reasons for his decision.

(e) Sale of Forfeited Vehicle Required. If the judge orders forfeiture of the vehicle pursuant to this section, he must order the sale of the vehicle. Proceeds of the sale must be paid to the school fund of the county in which the property was seized.

(f) Innocent Party May Intervene. At any time before the forfeiture is ordered, the property owner or holder of a security interest, other than the defendant, may apply to protect his interest in the motor vehicle. The application may be made to a judge who has jurisdiction to try the impaired driving offense with which the motor vehicle is associated. The judge must order the vehicle returned to the owner if he finds that either the owner or the holder of a security interest is an innocent party. An owner or holder of a security interest is an innocent party if he:

(1) Did not know and had no reason to know that the defendant's driver's license was revoked; or

(2) Knew that the defendant's driver's license was revoked, but the defendant drove the vehicle without his consent.

If an innocent party applies after the forfeited motor vehicle has been sold and the judge finds no laches in the innocent party's delay, the judge may order a payment to the innocent party from the net proceeds of the sale equal to his equity or security interest in the vehicle."

— IMPAIRED DRIVING CHECKS.

Sec. 22. Chapter 20 of the General Statutes is amended by adding a new G. S. 20-16.3A to read as follows:

"§ 20-16.3A. **Impaired driving checks.** — A law enforcement agency may make impaired driving checks of drivers of vehicles on highways and public vehicular areas if the agency:

(1) Develops a systematic plan in advance that takes into account the likelihood of detecting impaired drivers, traffic conditions, number of vehicles to be stopped, and the convenience of the motoring public.

(2) Designates in advance the pattern both for stopping vehicles and for requesting drivers that are stopped to submit to alcohol screening tests. The plan may include contingency provisions for altering either pattern if actual traffic conditions are different from those anticipated, but no individual officer may be given discretion as to which vehicle is stopped or, of the vehicles stopped, which driver is requested to submit to an alcohol screening test.

(3) Marks the area in which checks are conducted to advise the public that an authorized impaired driving check is being made.

This section does not prevent an officer from using the authority of G. S. 20-16.3 to request a screening test if, in the course of dealing with a driver under the authority of this section, he develops grounds for requesting such a test under G. S. 20-16.3. Alcohol screening tests and the results from them are subject to the provisions of subsections (b), (c), and (d) of G. S. 20-16.3. This section does not limit the authority of a law enforcement officer or agency to conduct a license check independently or in conjunction with the impaired driving check, to administer psychophysical tests to screen for impairment, or to utilize roadblocks or other types of vehicle checks or checkpoints that are consistent with the laws of this State and the Constitution of North Carolina and of the United States."

— REPEAL OF PRESENT OFFENSES.

Sec. 23. G. S. 20-138, 20-139, 20-140(c), and 20-140(e) are repealed.

— IMPAIRED DRIVING OFFENSE DEFINED.

Sec. 24. Chapter 20 of the General Statutes is amended by noting that G. S. 20-138.2 is reserved for future codification purposes and by adding a new G. S. 20-138.1 to read as follows:

"§ 20-138.1. **Impaired driving.** — (a) Offense. A person commits the offense of impaired driving if he drives any vehicle upon any highway, any street, or any public vehicular area within this State:

(1) While under the influence of an impairing substance; or

(2) After having consumed sufficient alcohol that he has, at any relevant time after the driving, an alcohol concentration of 0.10 or more.

(b) Defense Precluded. The fact that a person charged with violating this section is or has been legally entitled to use alcohol or a drug is not a defense to a charge under this section.

(c) Pleading. In any prosecution for impaired driving, the pleading is sufficient if it states the time and place of the alleged offense in the usual form and charges that the defendant drove a vehicle on a highway or public vehicular area while subject to an impairing substance.

(d) Sentencing Hearing and Punishment. Impaired driving as defined in this section is

a misdemeanor. Upon conviction of a defendant of impaired driving, the presiding judge must hold a sentencing hearing and impose punishment in accordance with G. S. 20-179."

— PROSECUTOR DISCLOSURE REQUIREMENTS.

Sec. 25. Chapter 20 of the General Statutes is amended by adding a new section, G. S. 20-138.4, to read as follows:

"§ 20-138.4. **Requirement that prosecutor explain reduction or dismissal of charge involving impaired driving.** — Any prosecutor must enter detailed facts in the record of any case involving impaired driving explaining the reasons for his action if he:

(1) Enters a voluntary dismissal; or

(2) Accepts a plea of guilty or no contest to a lesser included offense; or

(3) Substitutes another charge, by statement of charges or otherwise, if the substitute charge carries a lesser mandatory minimum punishment or is not an offense involving impaired driving; or

(4) Otherwise takes a discretionary action that effectively dismisses or reduces the original charge in the case involving impaired driving.

General explanations such as 'interests of justice' or 'insufficient evidence' are not sufficiently detailed to meet the requirements of this section."

— CHEMICAL TESTING PROCEDURES.

Sec. 26. G. S. 20-139.1 is rewritten to read as follows:

"§ 20-139.1. **Procedures governing chemical analyses; admissibility; evidentiary provisions; controlled-drinking programs.** — (a) Chemical Analysis Admissible. In any implied-consent offense under G. S. 20-16.2, a person's alcohol concentration as shown by a chemical analysis is admissible in evidence. This section does not limit the introduction of other competent evidence as to a defendant's alcohol concentration, including other chemical tests.

(b) Approval of Valid Test Methods; Licensing Chemical Analysts. A chemical analysis, to be valid, must be performed in accordance with the provisions of this section. The chemical analysis must be performed according to methods approved by the Commission for Health Services by an individual possessing a current permit issued by the Department of Human Resources for that type of chemical anlaysis. The Commission for Health Services is authorized to adopt regulations approving satisfactory methods or techniques for performing chemical analyses, and the Department of Human Resources is authorized to ascertain the qualifications and competence of individuals to conduct particular chemical analyses. The Department may issue permits to conduct chemical analyses to individuals it finds qualified subject to periodic renewal, termination, and revocation of the permit in the Department's discretion.

(b1) Arresting or Charging Officer May Not Perform Chemical Analysis. A chemical analysis is not valid in any case in which it is performed by an arresting officer or by a charging officer under the terms of G. S. 20-16.2.

(b2) Breath Analysis Results Inadmissible if Preventive Maintenance Not Performed. Notwithstanding the provisions of subsection (b), the results of a chemical analysis of a person's breath performed in accordance with this section are not admissible in evidence if:

(1) The defendant objects to the introduction into evidence of the results of the chemical analysis of his breath; and

(2) The defendant demonstrates that, with respect to the instrument used to analyse his breath, preventive maintenance procedures required by the regulations of the Commission for Health Services had not been performed within the time limits prescribed by those regulations.

(b3) Sequential Breath Tests Required. By January 1, 1985, the regulations of the Commission for Health Services governing the administration of chemical analyses of the

breath must require the testing of at least duplicate sequential breath samples. Those regulations must provide:

(1) A specification as to the minimum observation period before collection of the first breath sample and the time requirements as to collection of second and subsequent samples.

(2) That the test results may only be used to prove a person's particular alcohol concentration if:

a. The pair of readings employed are from consecutively administered tests; and

b. The readings do not differ from each other by an alcohol concentration greater than 0.02.

(3) That when a pair of analyses meets the requirements of subdivision (2), only the lower of the two readings may be used by the State as proof of a person's alcohol concentration in any court or administrative proceeding.

A person's willful refusal to give the sequential breath samples necessary to constitute a valid chemical analysis is a willful refusal under G. S. 20-16.2(c).

(c) Withdrawal of Blood for Chemical Analysis. When a blood test is specified as the type of chemical analysis by the charging officer, only a physician, registered nurse, or other qualified person may withdraw the blood sample. If the person withdrawing the blood requests written confirmation of the charging officer's request for the withdrawal of blood, the officer must furnish it before blood is withdrawn. When blood is withdrawn pursuant to a charging officer's request, neither the person withdrawing the blood nor any hospital, laboratory, or other institution, person, firm, or corporation employing him, or contracting for the service of withdrawing blood, may be held criminally or civilly liable by reason of withdrawing that blood, except that there is no immunity from liability for negligent acts or omissions.

(d) Right to Additional Test. A person who submits to a chemical analysis may have a qualified person of his own choosing administer an additional chemical test or tests, or have a qualified person withdraw a blood sample for later chemical testing by a qualified person of his own choosing. Any law enforcement officer having in his charge any person who has submitted to a chemical analysis must assist the person in contacting someone to administer the additional testing or to withdraw blood, and must allow access to the person for the purpose. The failure or inability of the person who submitted to a chemical analysis to obtain any additional test or to withdraw blood does not preclude the admission of evidence relating to the chemical analysis.

(e) Recording Results of Chemical Analysis of Breath. The chemical analyst who administers a test of a person's breath must record the following information after making any chemical analysis:

(1) The alcohol concentration or concentrations revealed by the chemical analysis.

(2) The time of the collection of the breath sample or samples used in the chemical analysis.

A copy of the record of this information must be furnished to the person submitting to the chemical analysis, or to his attorney, before any trial or proceeding in which the results of the chemical analysis may be used.

(e1) Use of Chemical Analyst's Affidavit in District Court. An affidavit by a chemical analyst sworn to and properly executed before an official authorized to administer oaths is admissible in evidence without further authentication in any hearing or trial in the District Court Division of the General Court of Justice with respect to the following matters:

(1) The alcohol concentration or concentrations of a person given a chemical analysis and who is involved in the hearing or trial.

(2) The time of the collection of the blood or breath sample or samples for the chemical analysis.

(3) The type of chemical analysis administered and the procedures followed.

(4) The type and status of any permit issued by the Department of Human Resources that he held on the date he performed the chemical analysis in question.

(5) If the chemical analysis is performed on a breath-testing instrument for which regulations adopted pursuant to subsection (b) require preventive maintenance, the date the most recent preventive maintenance procedures were performed on the breath-testing instrument used, as shown on the maintenance records for that instrument.

The Department of Human Resources must develop a form for use by chemical analysts in making this affidavit. If any person who submitted to a chemical analysis desires that a chemical analyst personally testify in the hearing or trial in the District Court Division, he may subpoena the chemical analyst and examine him as if he were an adverse witness.

(f) Evidence of Refusal Admissible. If any person charged with an implied-consent offense refuses to submit to a chemical analysis, evidence of that refusal is admissible in any criminal action against him for an implied-consent offense under G. S. 20-16.2.

(g) Controlled-Drinking Programs. The Department of Human Resources is empowered to make regulations concerning the ingestion of controlled amounts of alcohol by individuals submitting to chemical testing as a part of scientific, experimental, educational, or demonstration programs. These regulations must prescribe procedures consistent with controlling federal law governing the acquisition, transportation, possession, storage, administration, and disposition of alcohol intended for use in the programs. Any person in charge of a controlled-drinking program who acquires alcohol under these regulations must keep records accounting for the disposition of all alcohol acquired, and the records must at all reasonable times be available for inspection upon the request of any federal, State, or local law enforcement officer with jurisidction over the laws relating to control of alcohol. A controlled-drinking program exclusively using lawfully purchased alcoholic beverages in places in which they may be lawfully possessed, however, need not comply with the record-keeping requirements of the regulations authorized by this subsection. All acts pursuant to the regulations reasonably done in furtherance of bona fide objectives of a controlled-drinking program authorized by the regulations are lawful notwithstanding the provisions of any other general or local statute, regulation, or ordinance controlling alcohol."

— FELONY AND MISDEMEANOR DEATH BY VEHICLE.

Sec. 27. G. S. 20-141.4 is rewritten to read as follows:

"§ 20-141.4. **Felony and misdemeanor death by vehicle.** — (a). (Repealed.)

(a1) Felony Death by Vehicle. A person commits the offense of felony death by vehicle if he unintentionally causes the death of another person while engaged in the offense of impaired driving under G. S. 20-138.1 and commission of that offense is the proximate cause of the death.

(a2) Misdemeanor Death by Vehicle. A person commits the offense of misdemeanor death by vehicle if he unintentionally causes the death of another person while engaged in the violation of any State law or local ordinance applying to the operation or use of a vehicle or to the regulation of traffic, other than impaired driving under G. S. 20-138.1, and commission of that violation is the proximate cause of the death.

(b) Punishments. Felony death by vehicle is a Class I felony. Misdemeanor death by vehicle is a misdemeanor punishable by a fine of not more than five hundred dollars ($500.00), imprisonment for not more than two years, or both, in the discretion of the court.

(c) No Double Prosecutions. No person who has been placed in jeopardy upon a charge of death by vehicle may be prosecuted for the offense of manslaughter arising out of the same death; and no person who has been placed in jeopardy upon a charge of manslaughter may be prosecuted for death by vehicle arising out of the same death."

— IMPAIRED DRIVING APPLICABLE TO ROAD CONSTRUCTION VEHICLES.

Sec. 28. The numbered subdivisions of G. S. 20-168(b) are rewritten to read as follows:

"(1) G. S. 20-138.1. Impaired driving.

(2) (Repealed.)

(3) G. S. 20-139.1. Procedures governing chemical analyses; admissibility; evidentiary provisions; controlled-drinking programs.

(4) G. S. 20-140. Reckless driving.

(5) (Repealed.)

(6) G. S. 20-141. Speed restrictions.

(7) G. S. 20-141.3. Unlawful racing on streets and highways.

(8) G. S. 20-141.4. Felony and misdemeanor death by vehicle."

— SENTENCING PROCEDURES AND PUNISHMENT FOR IMPAIRED DRIVING OFFENSES.

Sec. 29. G. S. 20-179 and G. S. 20-179.1 are rewritten to read as follows:

"§ 20-179. **Sentencing hearing after conviction for impaired driving; determination of grossly aggravating and aggravating and mitigating factors; punishments.** — (a) Sentencing Hearing Required. After a conviction for impaired driving under G. S. 20-138.1, the judge must hold a sentencing hearing to determine whether there are aggravating or mitigating factors that affect the sentence to be imposed. Before the hearing the prosecutor must make all feasible efforts to secure the defendant's full record of traffic convictions, and must present to the judge that record for consideration in the hearing. Upon request of the defendant, the prosecutor must furnish the defendant or his attorney a copy of the defendant's record of traffic convictions at a reasonable time prior to the introduction of the record into evidence. In addition, the prosecutor must present all other appropriate grossly aggravating and aggravating factors of which he is aware, and the defendant or his attorney may present all appropriate mitigating factors. In every instance in which a valid chemical analysis is made of the defendant, the prosecutor must present evidence of the resulting alcohol concentration.

(b) (Repealed.)

(c) Determining Existence of Grossly Aggravating Factors. At the sentencing hearing, based upon the evidence presented at trial and in the hearing, the judge must first determine whether there are any grossly aggravating factors in the case. If the defendant has been convicted of two or more prior offenses involving impaired driving, if the convictions occurred within seven years of the date of the offense for which he is being sentenced, the judge must impose the Level One punishment under subsection (g). The judge must also impose the Level One punishment if he determines that two or more of the following grossly aggravating factors apply:

(1) A single conviction for an offense involving impaired driving, if the conviction occurred within seven years of the date of the offense for which the defendant is being sentenced.

(2) Driving by the defendant while his driver's license was revoked under G. S. 20-28, and the revocation was an impaired driving revocation under G. S. 20-28.2(a).

(3) Serious injury to another person caused by the defendant's impaired driving.

If the judge determines that only one of the above grossly aggravating factors applies, he must impose the Level Two punishment under subsection (h). In imposing a Level One or Two punishment, the judge may consider the aggravating and mitigating factors in subsections (d) and (e) in determining the appropriate sentence. If there are no grossly aggravating factors in the case, the judge must weigh all aggravating and mitigating factors and impose punishment as required by subsection (f).

(d) Aggravating Factors To Be Weighed. The judge must determine before sentencing under subsection (f) whether any of the aggravating factors listed below apply to the

defendant. The judge must weigh the seriousness of each aggravating factor in the light of the particular circumstances of the case. The factors are:

(1) Gross impairment of the defendant's faculties while driving or an alcohol concentration of 0.20 or more within a relevant time after the driving.

(2) Especially reckless or dangerous driving.

(3) Negligent driving that led to an accident causing property damage in excess of five hundred dollars ($500.00) or personal injury.

(4) Driving by the defendant while his driver's license was revoked.

(5) Two or more prior convictions of a motor vehicle offense not involving impaired driving for which at least three points are assigned under G. S. 20-16 or for which the convicted person's license is subject to revocation, if the convictions occurred within five years of the date of the offense for which the defendant is being sentenced, or one or more prior convictions of an offense involving impaired driving that occurred more than seven years before the date of the offense for which the defendant is being sentenced.

(6) Conviction under G. S. 20-141(j) of speeding by the defendant while fleeing or attempting to elude apprehension, if the offense occurred during the same act or transaction as the impaired driving offense.

(7) Conviction under G. S. 20-141 of speeding by the defendant by at least 30 miles per hour over the legal limit, if the offense occurred during the same act or transaction as the impaired driving offense.

(8) Passing a stopped school bus in violation of G. S. 20-217.

(9) Any other factor that aggravates the seriousness of the offense.

(e) Mitigating Factors To Be Weighed. The judge must also determine before sentencing under subsection (f) whether any of the mitigating factors listed below apply to the defendant. The judge must weigh the degree of mitigation of each factor in light of the particular circumstances of the case. The factors are:

(1) Slight impairment of the defendant's faculties resulting solely from alcohol, and an alcohol concentration that did not exceed 0.11 at any relevant time after the driving.

(2) Slight impairment of the defendant's faculties, resulting solely from alcohol, with no chemical analysis having been available to the defendant.

(3) Driving at the time of the offense that was safe and lawful except for the impairment of the defendant's faculties.

(4) A safe driving record, with the defendant's having no conviction for any serious traffic violation within five years of the date of the offense for which the defendant is being sentenced.

(5) Impairment of the defendant's faculties caused primarily by a lawfully prescribed drug for an existing medical condition, and the amount of the drug taken was within the prescribed dosage.

(6) The defendant's voluntary submission to a mental health facility for assessment after he was charged with impaired driving, and, if recommended by the facility, his voluntary participation in the recommended treatment.

(7) Any other factor that mitigates the seriousness of the offense.

(f) Weighing the Aggravating and Mitigating Factors. If the judge in the sentencing hearing determines that there are no grossly aggravating factors, he must weigh all aggravating and mitigating factors listed in subsections (d) and (e). If the judge determines that:

(1) The aggravating factors substantially outweigh any mitigating factors, he must note in the judgment the factors found and his finding that the defendant is subject to the Level Three punishment and impose a punishment within the limits defined in subsection (i).

(2) There are no aggravating and mitigating factors, or that aggravating factors are substantially counterbalanced by mitigating factors, he must note in the judgment any factors found and his finding that the defendant is subject to the Level Four punishment and impose a punishment within the limits defined in subsection (j).

(3) The mitigating factors substantially outweigh any aggravating factors, he must note in the judgment the factors found and his finding that the defendant is subject to the Level Five punishment and impose a punishment within the limits defined in subsection (k).

It is not a mitigating factor that the driver of the vehicle was suffering from alcoholism, drug addiction, diminished capacity, or mental disease or defect. Evidence of these matters may be received in the sentencing hearing, however, for use by the judge in formulating terms and conditions of sentence after determining which punishment level must be imposed.

(g) Level One Punishment. A defendant subject to Level One punishment may be fined up to two thousand dollars ($2,000) and must be sentenced to a term of imprisonment of not less than 14 days and not more than 24 months. The term of imprisonment may be suspended only if a condition of special probation is imposed to require the defendant to serve a term of imprisonment of at least 14 days. If the defendant is placed on probation, the judge must, if required by subsections (l) or (m), impose the conditions relating to treatment and education described in those subsections. The judge may impose any other lawful condition of probation. If the judge does not place on probation a defendant who is otherwise subject to the mandatory assessment and treatment provisions of subsection (m), he must include in the record of the case his reasons for not doing so.

(h) Level Two Punishment. A defendant subject to Level Two punishment may be fined up to one thousand dollars ($1,000) and must be sentenced to a term of imprisonment of not less than seven days and not more than 12 months. The term of imprisonment may be suspended only if a condition of special probation is imposed to require the defendant to serve a term of imprisonment of at least seven days. If the defendant is placed on probation, the judge must, if required by subsections (l) or (m), impose the conditions relating to treatment and education described in those subsections. The judge may impose any other lawful condition of probation. If the judge does not place on probation a defendant who is otherwise subject to the mandatory assessment and treatment provisions of subsection (m), he must include in the record of the case his reasons for not doing so.

(i) Level Three Punishment. A defendant subject to Level Three punishment may be fined up to five hundred dollars ($500.00) and must be sentenced to a term of imprisonment of not less than 72 hours and not more than six months. The term of imprisonment must be suspended, on the condition that the defendant:

(1) Be imprisoned for a term of at least 72 hours as a condition of special probation; or

(2) Perform community service for a term of at least 72 hours; or

(3) Not operate a motor vehicle for a term of at least 90 days; or

(4) Any combination of these conditions.

The judge in his discretion may impose any other lawful condition of probation and, if required by subsections (l) or (m), must impose the conditions relating to treatment and education described in those subsections. This subsection does not affect the right of a defendant to elect to serve the suspended sentence of imprisonment as provided in G. S. 15A-1341(c).

(j) Level Four Punishment. A defendant subject to Level Four punishment may be fined up to two hundred fifty dollars ($250.00) and must be sentenced to a term of imprisonment of not less than 48 hours and not more than 120 days. The term of imprisonment must be suspended, on the condition that the defendant:

(1) Be imprisoned for a term of 48 hours as a condition of special probation; or
(2) Perform community service for a term of 48 hours; or
(3) Not operate a motor vehicle for a term of 60 days; or
(4) Any combination of these conditions.

The judge in his discretion may impose any other lawful condition of probation and, if required by subsection (l) or (m), must impose the conditions relating to treatment and education described in those subsections. This subsection does not affect the right of a defendant to elect to serve the suspended sentence of imprisonment as provided in G. S. 15A-1341(c).

(k) Level Five Punishment. A defendant subject to Level Five punishment may be fined up to one hundred dollars ($100.00) and must be sentenced to a term of imprisonment of not less than 24 hours and not more than 60 days. The term of imprisonment must be suspended, on the condition that the defendant:

(1) Be imprisoned for a term of 24 hours as a condition of special probation; or
(2) Perform community service for a term of 24 hours; or
(3) Not operate a motor vehicle for a term of 30 days; or
(4) Any combination of these conditions.

The judge may in his discretion impose any other lawful condition of probation and, if required by subsections (l) or (m), must impose the conditions relating to treatment and education described in those subsections. This subsection does not affect the right of a defendant to elect to serve the suspended sentence of imprisonment as provided in G S. 15A-1341(c).

(l) Education Required in Certain Cases. If a defendant being sentenced under this section is placed on probation, he must be required as a condition of that probation to complete the course of instruction successfully at an Alcohol and Drug Education Traffic School established pursuant to G. S. 20-179.2 within 90 days of the date of conviction unless:

(1) He has previously been assigned to an Alcohol and Drug Education Traffic School and has successfully completed the course of instruction; or
(2) The judge finds that the defendant will not benefit from the course of instruction because of specific, extenuating circumstances.

(m) Assessment and Treatment Required in Certain Cases. If a defendant being sentenced under this section is placed on probation, he must be required as a condition of that probation to obtain a substance abuse assessment if:

(1) He had an alcohol concentration of 0.20 or more as indicated by a chemical analysis taken when he was charged; or
(2) He has a prior conviction for an offense involving impaired driving within the five years preceding the date of the offense for which he is being sentenced and, when he was charged with the current offense, he either:
a. Had an alcohol concentration of 0.10 or more; or
b. Willfully refused to submit to a chemical analysis.

The judge must require the defendant to obtain the assessment from an area mental health agency, its designated agent, or a private facility licensed by the State for the treatment of alcoholism and substance abuse. In addition, he must require the defendant to participate in a treatment program if recommended by the assessing agency, and he must require the defendant to execute a Release of Information authorizing the treatment agency to report his progress to the court or the Division of Adult Probation and Parole. The judge may order the defendant to participate in an appropriate treatment program at the time he is ordered to obtain an assessment, or he may order him to reappear in court when the assessment is completed to determine if a condition of probation requiring participation in treatment should be imposed. The judge must require the defendant to pay twenty-five dollars ($25.00) for the services of the assessment facility and the

treatment fees that may be charged by the treatment facility. If the defendant is treated by an area mental health facility, G. S. 122-35.47 applies. Any determinations with regard to the defendant's ability to pay the assessment fee must be made by the judge. In those cases in which no substance abuse handicap is identified, that finding must be forwarded in writing to the court. When treatment is required, the treatment agency's progress reports must be filed with the court or the Division of Adult Probation and Parole at intervals of no greater than six months until the termination of probation or the treatment agency determines and reports that no further treatment is appropriate.

(n) Time Limits for Performance of Community Service. If the judgment requires the defendant to perform a specified number of hours of community service as provided in subsections (i), (j), or (k), the community service must be completed:

(1) Within 90 days, if the amount of community service required is 72 hours or more; or

(2) Within 60 days, if the amount of community service requird is 48 hours; or

(3) Within 30 days, if the amount of community service required is 24 hours.

The court may extend these time limits upon motion of the defendant if it finds that the defendant has made a good faith effort to comply with the time limits specified in this subsection. Failure to complete the community service requirement within the applicable time limits is a violation of the defendant's probation and, in addition, is a ground for revocation of any limited driving privilege held by the defendant for the impaired driving offense.

(o) Evidentiary Standards; Proof of Prior Convictions. In the sentencing hearing, the State must prove any grossly aggravating or aggravating factor by the greater weight of the evidence, and the defendant must prove any mitigating factor by the greater weight of the evidence. Evidence adduced by either party at trial may be utilized in the sentencing hearing. Except as modified by this section, the procedure in G. S. 15A-1334(b) governs. The judge may accept any evidence as to the presence or absence of previous convictions that he finds reliable but he must give *prima facie* effect to convictions recorded by the Division or any other agency of the State of North Carolina. A copy of such conviction records transmitted by the police information network in general accordance with the procedure authorized by G. S. 20-26(b) is admissible in evidence without further authentication. If the judge decides to impose an active sentence of imprisonment that would not have been imposed but for a prior conviction of an offense, the judge must afford the defendant an opportunity to introduce evidence that the prior conviction had been obtained in a case in which he was indigent, had no counsel, and had not waived his right to counsel. If the defendant proves by the preponderance of the evidence all three above facts concerning the prior case, that conviction may not be used as the basis for imposing an active sentence of imprisonment.

(p) Limit on Ameliorations of Punishment. With respect to the period of any minimum active term of imprisonment or minimum or specific term of imprisonment as a condition of special probation under this section:

(1) The judge may not give credit to the defendant for the first 24 hours of the time spent in incarceration pending trial.

(2) No good time or gain time may be credited to reduce the minimum or specified term of imprisonment.

(3) The defendant may not be released on parole.

(q) Meaning of 'Conviction'. For the purposes of this Article, 'conviction' includes a guilty verdict, guilty plea, plea of no contest, or anything that would be treated as a conviction under G. S. 20-24(c).

"§ 20-179.1. **Presentence investigation of persons convicted of offense involving impaired driving.** — When a person has been convicted of an offense involving impaired driving, the trial judge may request a presentence investigation to determine whether the

person convicted would benefit from treatment for habitual use of alcohol or drugs. If the person convicted objects, no presentence investigation may be ordered, but the judge retains his power to order suitable treatment as a condition of probation, and must do so when required by statute."

— ALCOHOL AND DRUG EDUCATION TRAFFIC SCHOOLS.

Sec. 30. G. S. 20-179.2 is amended by repealing subsection (b) and by designating the present subdivisions (a)(1), (a)(2), (a)(3), and (a)(4) as subsections (c), (d), (e), and (f), respectively. That section is further amended by deleting the fourth sentence of the present subdivision (a)(1) (redesignated as subsection (c)) and inserting in its place the following sentence:

"The fee must be paid in full within two weeks from the date school attendance is ordered as a condition of probation, unless the court, upon a showing of hardship by the person, allows the person additional time to pay the fee."

— LIMITED DRIVING PRIVILEGE.

Sec. 31. Chapter 20 of the General Statutes is amended by adding a new G. S. 20-179.3 to read as follows:

"§ 20-179.3. **Limited driving privilege.** — (a) Definition of Limited Driving Privilege. A limited driving privilege is a judgment issued in the discretion of a court for good cause shown authorizing a person with a revoked driver's license to drive for essential purposes related to any of the following:

(1) His employment.
(2) The maintenance of his household.
(3) His education.
(4) His court-ordered treatment or assessment.
(5) Community service ordered as a condition of the person's probation.
(6) Emergency medical care.

(b) Eligibility. A person convicted of the offense of impaired driving under G. S. 20-138.1 is eligible for a limited driving privilege if:

(1) At the time of the offense he held a valid driver's license;
(2) At the time of the offense he had not within the preceding 10 years been convicted of an offense involving impaired driving;
(3) Punishment Level Three, Four, or Five was imposed for the offense of impaired driving; and
(4) Subsequent to the offense he has not been convicted of, or had an unresolved charge lodged against him for, an offense involving impaired driving.

A person whose North Carolina driver's license is revoked because of a conviction in another jurisdiction substantially equivalent to impaired driving under G. S. 20-138.1 is eligible for a limited driving privilege if he would be eligible for it had the conviction occurred in North Carolina. Eligibility for a limited driving privilege following a revocation under G. S. 20-16.2(d) is governed by G. S. 20-16.2(e1).

(c) Privilege Not Effective Until After Compliance With Court-Ordered Revocation. A person convicted of an impaired driving offense may apply for a limited driving privilege at the time the judgment is entered. If the judgment does not require the person to complete a period of nonoperation pursuant to G. S. 20-179, the privilege may be issued at the time the judgment is issued. If the judgment requires the person to complete a period of nonoperation pursuant to G. S. 20-179, the limited driving privilege may not be effective until the person successfully completes that period of nonoperation. A person whose license is revoked because of a conviction in another jurisdiction substantially equivalent to impaired driving under G. S. 20-138.1 may apply for a limited driving privilege only after having completed at least 60 days of a court-imposed term of nonoperation of a motor vehicle, if the court in the other jurisdiction imposed such a term of nonoperation.

(d) Application for and Scheduling of Subsequent Hearing. The application for a limited driving privilege made subsequent to sentencing must be filed with the clerk in duplicate, and no hearing scheduled may be held until a reasonable time after the clerk files a copy of the application with the district attorney's office. The hearing must be scheduled before:

(1) The presiding judge at the applicant's trial if that judge is assigned to a court in the judicial district in which the conviction for impaired driving was imposed.

(2) The senior regular resident superior court judge of the district in which the conviction for impaired driving was imposed, if the presiding judge is not available within the district and the conviction was imposed in superior court.

(3) The chief district court judge of the district in which the conviction for impaired driving was imposed, if the presiding judge is not available within the district and the conviction was imposed in district court.

If the applicant was convicted of an offense in another jurisdiction, the hearing must be scheduled before the chief district court judge of the district in which he resides. G. S. 20-16.2(e1) governs the judge before whom a hearing is scheduled if the revocation was under G. S. 20-16.2(d). The hearing may be scheduled in any county within the judicial district.

(e) Limited Basis for and Effect of Privilege. A limited driving privilege issued under this section authorizes a person to drive if his license is revoked solely under G. S. 20-17(2) or as a result of a conviction in another jurisdiction substantially equivalent to impaired driving under G. S. 20-138.1; if the person's license is revoked under any other statute, the limited driving privilege is invalid.

(f) Overall Restriction on Use of Privilege. In addition to specific restrictions that must be imposed under subsection (g), a limited driving privilege must restrict the applicant to essential driving related to the purposes listed in subsection (a). Driving related to emergency medical care is authorized at any time, but any other driving is unlawful unless it is for a purpose listed in subsection (a) and is within the times and at a place authorized under the subsection (g).

(g) Specific Restrictions on Driving Required to Be Stated. Under this section, 'standard working hours' are 6:00 a.m. to 8:00 p.m. on Monday through Friday. If the applicant is not required to drive for essential work-related purposes except during standard working hours, the judge in the limited driving privilege:

(1) Must prohibit driving during nonstandard working hours except for essential driving related to emergency medical care and specified essential driving for the applicant's education or court-ordered assessment, treatment, or community service; and

(2) May state other information and restrictions applicable to work-related driving during standard working hours.

The judge in the limited driving privilege may not allow the applicant to drive for maintenance of his household except during standard working hours, and the judge may impose any additional restrictions on such driving. If the applicant is required to drive for essential work-related purposes during nonstandard working hours, he must present documentation of that fact to the court before the judge may authorize him to drive during nonstandard working hours. If this authorization is granted, the limited driving privilege must contain the exact times and routes in which the holder will be driving to work or as a condition of employment, and restrict driving to those times and routes. The judge may also impose other restrictions, including a specification as to the vehicle to be driven. The judge must give the name and location of the place of work and may include any other information as to residence and essential driving needs that may assist law enforcement officers inspecting the limited driving privilege. If the applicant seeks permission to drive to and from court-ordered assessments, treatment, or community service or an educational program, including an Alcohol and Drug Education Traffic School, the judge must find

that the applicant has no reasonable alternative to his driving. If the judge makes such a finding, he may authorize driving for that purpose, but if the driving will occur during nonstandard working hours, the judge must state the same information and restrictions applicable to work-related driving during those hours.

(h) Other Mandatory and Permissive Conditions or Restrictions. In all limited driving privileges the judge must also include a restriction that the applicant not consume alcohol while driving or drive at any time while he has remaining in his body any alcohol or in his blood a controlled substance previously consumed, unless the controlled substance was lawfully obtained and taken in therapeutically appropriate amounts. The judge may impose any other reasonable restrictions or conditions necessary to achieve the purpose of this section.

(i) Modification or Revocation of Privilege. A judge who issues a limited driving privilege is authorized to modify or revoke the limited driving privilege upon a showing that the circumstances have changed sufficiently to justify modification or revocation. If the judge who issued the limited driving privilege is not available, a judge authorized to issue a limited driving privilege under subsection (d) may modify or revoke a limited driving privilege in accordance with this subsection. The judge must indicate in the order of modification or revocation the reasons for the order, or he must make specific findings indicating the reason for the order and those findings must be entered in the record of the case.

(j) Effect of Violation of Restriction. A holder of a limited driving privilege who violates any of its restrictions commits the offense of driving while his license is revoked under G. S. 20-28(a) and is subject to punishment and license revocation as provided in that section. If a law enforcement officer has reasonable grounds to believe that the holder of a limited driving privilege has consumed alcohol while driving or has driven while he has remaining in his body any alcohol previously consumed, the suspected offense of driving while license is revoked is an alcohol-related offense subject to the implied-consent provisions of G. S. 20-16.2. If a holder of a limited driving privilege is charged with violating a restriction contained in his limited driving privilege, and a judicial official determines that there is probable cause for the charge, the limited driving privilege is suspended pending the resolution of the case, and the judicial official must require the holder to surrender the limited driving privilege. The judicial official must also notify the holder that he is not entitled to drive until his case is resolved.

(k) Copy of Limited Driving Privilege to Division; Action Taken if Privilege Invalid. The clerk of court must send a copy of any limited driving privilege issued in the county to the Division. A limited driving privilege that is not authorized by this section, G. S. 20-16.2(e1), or G. S. 20-16.1, or that does not contain the limitations required by law, is invalid. If the limited driving privilege is invalid on its face, the Division must immediately notify the court and the holder of the privilege that it considers the privilege void and that the Division records will not indicate that the holder has a limited driving privilege."

PART II. PROTECTION OF YOUTHFUL DRIVERS.

— RAISING BEER PURCHASE AGE.

Sec. 32. G. S. 18B-300(a), 18B-302(a)(1), 18B-900(a)(1), and 18B-900(d) are amended by deleting the number "18" wherever it appears in those subsections and inserting in its place the number "19".

— GROUNDS FOR REVOKING PROVISIONAL LICENSE.

Sec. 33. Chapter 20 of the General Statutes is amended to add a new G. S. 20-13.2 to read as follows:

"§ 20-13.2. **Grounds for revoking provisional license.** — (a) The Division must revoke the license of a person convicted of violating the provisions of G. S. 20-138.3 upon receipt of a record of the licensee's conviction.

(b) If a person is convicted of an offense involving impaired driving and the offense occurs while he is a provisional licensee, his license must be revoked under this section in addition to any other revocation required or authorized by law.

(c) If a person willfully refuses to submit to a chemical analysis pursuant to G. S. 20-16.2 while he is a provisional licensee, his license must be revoked under this section, in addition to any other revocation required or authorized by law. A revocation order entered under authority of this subsection becomes effective at the same time as a revocation order issued under G. S. 20-16.2 for the same willful refusal.

(d) A revocation under this section continues until the provisional licensee reaches 18 years of age or 45 days have elapsed, whichever occurs last. Revocations under this section run concurrently with any other revocations, but a limited driving privilege issued pursuant to law does not authorize a provisional licensee to drive if his license is revoked under this section."

— DRIVING BY PROVISIONAL LICENSEE AFTER DRINKING.

Sec. 34. Chapter 20 of the General Statutes is amended by adding a new section, G. S. 20-138.3, to read as follows:

"§ 20-138.3. **Driving by provisional licensee after consuming alcohol or drugs. —** (a) Offense. It is unlawful for a provisional licensee to drive a motor vehicle on a highway or public vehicular area while consuming alcohol or at any time while he has remaining in his body any alcohol or in his blood a controlled substance previously consumed, but a provisional licensee does not violate this section if he drives with a controlled substance in his blood which was lawfully obtained and taken in therapeutically appropriate amounts.

(b) Subject to Implied-Consent Law. An offense under this section is an alcohol-related offense subject to the implied-consent provisions of G. S. 20-16.2.

(c) Punishment; Effect When Impaired Driving Offense Also Charged. The offense in this section is punishable under G. S. 20-176(b). It is not, in any circumstances, a lesser included offense of impaired driving under G. S. 20-138.1, but if a person is convicted under this section and of an offense involving impaired driving arising out of the same transaction, the aggregate punishment imposed by the court may not exceed the maximum applicable to the offense involving impaired driving, and any minimum punishment applicable must be imposed."

— FRAUDULENT USE OF ID; AIDER AND ABETTOR PUNISHMENT.

Sec. 35. G. S. 18B-302 is amended by rewriting subsections (b), (c), (e), and (f), and adding subsection (g) to read as follows:

"(b) Purchase or Possession. It shall be unlawful for:

(1) A person less than 19 years old to purchase, to attempt to purchase, or to possess malt beverages or unfortified wine; or

(2) A person less than 21 years old to purchase, to attempt to purchase, or to possess fortified wine, spirituous liquor, or mixed beverages.

(c) Aider and Abettor.

(1) By underage person. Any person who is under the lawful age to purchase and who aids or abets another in violation of subsection (a) or (b) of this section shall be guilty of a misdemeanor punishable by a fine up to five hundred dollars ($500.00) or imprisonment for not more than six months, or both, in the discretion of the court.

(2) By person over lawful age. Any person who is over the lawful age to purchase and who aids or abets another in violation of subsection (a) or (b) of this section shall be guilty of a misdemeanor punishable by a fine of up to two thousand dollars ($2,000) or imprisonment for not more than two years, or both, in the discretion of the court.

(e) Fraudulent Use of Identification. It shall be unlawful for any person to obtain or

attempt to obtain alcoholic beverages in violation of subsection (b) of this section by using or attempting to use:

(1) A fraudulent or altered driver's license; or

(2) A fraudulent or altered identification document other than a driver's license; or

(3) A driver's license issued to another person; or

(4) An identification document other than a driver's license issued to another person.

(f) Allowing Use of Identification. It shall be unlawful for any person to permit the use of his driver's license or any other identification document of any kind by any person who violates or attempts to violate subsection (b) of this section.

(g) Conviction Report Sent to Division of Motor Vehicles. The court shall file a conviction report with the Division of Motor Vehicles indicating the name of the person convicted and any other information requested by the Division if the person is convicted of:

(1) A violation of subsection (e) or (f) of this section; or

(2) A violation of subdivision (c)(1) of this section; or

(3) A violation of subsection (b) of this section, if the violation occurred while the person was purchasing or attempting to purchase an alcoholic beverage.

Upon receipt of a conviction report, the Division shall revoke the person's license as required by G. S. 20-17.3."

— REVOCATION FOR UNDERAGE PURCHASERS OF ALCOHOL.

Sec. 36. General Statutes Chapter 20 is amended by adding a new section to read:

"§ 20-17.3. **Revocation for underage purchasers of alcohol.** — The Division shall revoke for one year the driver's license of any person who has been convicted of violating any of the following:

(1) G. S. 18B-302(c)(1), (e), or (f); or

(2) G. S. 18B-302(b), if the violation occurred while the person was purchasing or attempting to purchase an alcoholic beverage.

If the person's license is currently suspended or revoked, then the revocation under this section shall begin at the termination of that revocation."

PART III. DRAM SHOP OWNER LIABILITY.

— DRAM SHOP OWNER LIABILITY; BURDEN OF PROOF.

Sec. 37. Chapter 18B of the General Statutes is amended by adding a new Article 1A to read:

"Article 1A.

"Compensation for Injury Caused by Sales to Underage Persons.

"§ 18B-120. **Definitions.** — As used in this Article:

(1) 'Aggrieved Party' means a person who sustains an injury as a consequence of the actions of the underage person, but does not include the underage person or a person who aided or abetted in the sale or furnishing to the underage person.

(2) 'Injury' includes, but is not limited to, personal injury, property loss, loss of means of support, or death. Damages for death shall be determined under the provisions of G. S. 28A-18-2(b). Nothing in G. S. 28A-18-2(a) or subdivision (1) of this section shall be interpreted to preclude recovery under this Article for loss of support or death on account of injury to or death of the underage person or a person who aided or abetted in the sale or furnishing to the underage person.

(3) 'Underage person' means a person who is less than the age legally required for purchase of the alcoholic beverage in question.

(4) 'Vehicle' shall have the same meaning as prescribed by G. S. 20-4.01(49).

"§ 18B-121. **Claim for relief created for sale to underage person.** — An aggrieved

party has a claim for relief for damages against a permittee or local Alcoholic Beverage Control Board if:

(1) The permittee or his agent or employee or the local board or its agent or employee negligently sold or furnished an alcoholic beverage to an underage person; and

(2) The consumption of the alcoholic beverage that was sold or furnished to an underage person caused or contributed to, in whole or in part, an underage driver's being subject to an impairing substance within the meaning of G. S. 20-138.1 at the time of the injury; and

(3) The injury that resulted was proximately caused by the underage driver's negligent operation of a vehicle while so impaired.

"§ 18B-122. **Burden of proof and admissibility of evidence.** — The plaintiff shall have the burden of proving that the sale or furnishing of the alcoholic beverage to the underage person, as defined, was, under the circumstances, negligent. Proof of the sale or furnishing of the alcoholic beverage to an underage person, as defined, without request for identification shall be admissible as evidence of negligence. Proof of good practices (including but not limited to, instruction of employees as to laws regarding the sale of alcoholic beverages, training of employees, enforcement techniques, admonishment to patrons concerning laws regarding the purchase or furnishing of alcoholic beverages, or detention of a person's identification documents in accordance with G. S. 18B-129 and inquiry about the age or degree of intoxication of the person), evidence that an underage person misrepresented his age, or that the sale or furnishing was made under duress is admissible as evidence that the permittee was not negligent.

"§ 18B-123. **Limitation on damages.** — The total amount of damages that may be awarded to all aggrieved parties pursuant to any claims for relief under this Article is limited to no more than five hundred thousand dollars ($500,000) per occurrence. When all claims arising out of an occurrence exceed five hundred thousand dollars ($500,000), each claim shall abate in the proportion it bears to the total of all claims.

"§ 18B-124. **Joint and several liability.** — The liability of the negligent driver or owner of the vehicle that caused the injury and the permittee or ABC Board which sold or furnished the alcoholic beverage shall be joint and several, with right of contribution but not indemnification.

"§ 18B-125. **Exceptions.** — This Article does not create a claim for relief against the following:

(1) One who holds only a brown bagging permit, a special occasions permit, or a limited special occasions permit;

(2) One who holds only a special one-time permit under G. S. 18B-1002;

(3) One who holds only permits listed in G. S. 18B-1100;

(4) One who holds any combination of the permits listed in this section.

"§ 18B-126. **Statute of limitations.** — The statute of limitations is as provided in G. S. 1-54.

"§ 18B-127. **Duty of clerk of superior court.** — When execution on a judgment on a cause of action under G. S. 18B-121 is returned unsatisfied, in whole or in part, the clerk of superior court to whom such return is made shall transmit to the Commission certified copies of the judgment, the execution and return and any other proceedings upon the judgment.

"§ 18B-128. **Common law rights not abridged.** — The creation of any claim for relief by this Article may not be interpreted to abrogate or abridge any claims for relief under the common law, but this Article does not authorize double recovery for the same injury.

"§ 18B-129. **No liability for refusal to sell or for holding documents.** — (a) No permittee or his agent or employee may be held liable for damages resulting from the refusal to sell or furnish an alcoholic beverage to a person who fails to show proper identification as described in G. S. 18B-302(d), or who appears to be an underage person.

(b) No permittee or his agent or employee may be held civilly liable if the permittee or his agent or employee holds a customer's identification documents for a reasonable length of time in a good faith attempt to determine whether the customer is of legal age to purchase an alcoholic beverage, provided that the permittee or his agent or employee informs the customer of the reason for his actions."

— STATUTE OF LIMITATIONS.

Sec. 38. G. S. 1-54 is amended by adding a new subdivision (7) to read:

"(7) For recovery of damages under Article 1A of General Statutes Chapter 18B."

— ABC PERMITTEE'S REQUIREMENTS.

Sec. 39. G. S. 18B-900(a) is amended by adding a new subdivision (7) to read as follows:

"(7) Not have, whether as an individual or as an officer, director, shareholder or manager of a corporate permittee, an unsatisfied outstanding final judgment that was entered against him in an action under Article 1A of this Chapter."

— REVOCATION OF PERMIT FOR NONPAYMENT OF JUDGMENT.

Sec. 40. G. S. 18B-1003 is amended by adding thereto a new subsection (d) to read as follows:

"(d) Financial Responsibility. A permittee shall pay all judgments rendered against him under the provisions of Article 1A of this Chapter. When the Commission is informed, under the provisions of G. S. 18B-127 that there is an outstanding unsatisfied judgment against a permittee, the Commission shall suspend all of the permittee's permits. Notice and hearing are not required for a suspension under this subsection, and the suspension shall become effective immediately upon the Commission's receipt of the report. The suspension shall remain in effect until the permittee demonstrates that he has satisfied the judgment by payment in full. Nothing in this section relieves the permittee of the obligation to pay any applicable fees as a precondition of the reinstatement of his permit."

— LOCAL BOARD NOT COUNTY OR CITY AGENCY.

Sec. 41. G. S. 18B-101(8) is amended by adding thereto the following:

"A local board is an independent local political subdivision of the State. Nothing in this Chapter shall be construed as constituting a local board the agency of a city or county or of the Commission."

— NO LEGISLATIVE INTENT AS TO CIVIL LIABILITY FOR SALES TO INTOXICATED PERSONS.

Sec. 41.1. The original inclusion and ultimate deletion in the course of passing this act of statutory liability for certain persons who sell or furnish alcoholic beverages to intoxicated persons does not reflect any legislative intent one way or the other with respect to the issue of civil liability for negligence by persons who sell or furnish those beverages to such persons.

PART IV. EFFECTIVE DATE AND TRANSITIONAL PROVISIONS.

— SAVING CLAUSE FOR PROSECUTIONS AND REVOCATIONS.

Sec. 42. Prosecutions for offenses occurring before the effective date of this act and administrative actions affecting drivers' licenses based on these offenses are not abated or affected by the repeal or amendment in this act of statutes creating or punishing the offense or authorizing administrative action concerning a driver's license, and the statutes that would be applicable but for the amendments and repealers in this act remain applicable to those prosecutions and administrative actions.

— APPLICABILITY OF DRAM SHOP PROVISIONS.

Sec. 43. Sections 37, 38, 39 and 40 of this act apply only to acts and omissions occurring on or after the effective date of this act.

— CAPTIONS NOT LIMIT TEXT/ONLY FOR REFERENCE.

Sec. 44. The series of captions used in this act (the descriptive phrases in all capital letters identified by parts numbered with Roman numerals or preceded by hyphens) are inserted for convenience and reference only; and in no way define, limit, or prescribe the scope or application of the text of this act.

— SEVERABILITY.

Sec. 45. If any provision of this act or its application to any person or circumstances is held invalid by any court of competent jurisdiction, the invalidity will not affect other provisions or applications that can be given effect without the invalid provision or application; and to this end the provisions of this act are severable.

— RESERVE FUND FOR IMPLEMENTATION.

Sec. 45.1. The funds collected pursuant to Section 14 of this act shall be paid into a Reserve Fund. Funds from this Reserve Fund may be transferred by the Director of the Budget, with the advice of the Joint Legislative Commission on Governmental Operations, for the sole purpose of implementing the Safe Roads Act of 1983, including reimbursement to counties for increased jail expenses incurred as a result of this act. Any funds from the Reserve Fund not used to implement the Safe Roads Act of 1983 shall revert to the General Fund.

— EFFECTIVE DATE.

Sec. 46. Except as provided in Sections 42 and 43, this act shall become effective October 1, 1983.

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 2nd day of June, 1983.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ Robert D. Warren	S/ Dwight W. Quinn
S/ Anthony E. Rand	S/ George W. Miller, Jr.
S/ Charles W. Hipps	S/ Charles D. Evans
S/ J. J. Harrington	S/ Robert C. Hunter
S/ Kenneth C. Royall, Jr.	S/ William T. Watkins
S/ Henson P. Barnes	S/ Allen Adams
S/ George W. Marion, Jr.	S/ H. Martin Lancaster

The Conference Report is adopted by electronic vote (102-2), and the Senate is so notified by Special Message.

CALENDAR

Action is taken on the following:

S. B. 353, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF MURFREESBORO AND TO REPEAL PRIOR LOCAL ACTS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brawley, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Edwards, Enloe, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry,

Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holt, Hudson, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Owens, Payne, Pool, Poovey, Pulley, Redding, Rhodes, Roberts, Seymour, Slaughter, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 101.

Voting in the negative: None.

Excused absences, Representatives Brennan, N. J. Crawford, Bob Etheridge, Holmes, C. Hughes, and Keesee — 6.

S. B. 364, A BILL TO BE ENTITLED AN ACT TO INCLUDE TWO SATELLITE AREAS WITHIN THE CORPORATE LIMITS OF THE TOWN OF FOUR OAKS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brawley, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Edwards, Enloe, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holt, Hudson, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Owens, Payne, Pool, Poovey, Pulley, Redding, Rhodes, Roberts, Seymour, Slaughter, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 101.

Voting in the negative: None.

Excused absences, Representatives Brennan, N. J. Crawford, Bob Etheridge, Holmes, C. Hughes, and Keesee — 6.

S. B. 386, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM.

On motion of Representative Pulley, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brawley, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Edwards, Enloe, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holt, Hudson, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Owens, Payne, Pool, Poovey, Pulley, Redding, Rhodes, Roberts, Seymour, Slaughter, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 101.

Voting in the negative: None.

Excused absences: Representatives Brennan, N. J. Crawford, Bob Etheridge, Holmes, C. Hughes, and Keesee — 6.

H. B. 72, A BILL TO BE ENTITLED AN ACT TO PERMIT TRUSTEES OF THE RAEFORD FIREMEN'S RELIEF FUND TO PAY FIREMEN'S CONTRIBUTIONS TO THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 76, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW RELATING TO THE KANNAPOLIS FIREMEN'S SUPPLEMENTAL RETIREMENT FUND.

On motion of Representative Thomas, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 97, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN CHANGES IN THE ROCKY MOUNT SUPPLEMENTAL RETIREMENT FUND FOR FIREMEN, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 330, A BILL TO BE ENTITLED AN ACT TO PROVIDE A SUPPLEMENTAL RETIREMENT FUND FOR FIREMEN IN THE TOWN OF VALDESE, AND TO MODIFY THE APPLICATION OF G. S. 118-5, G. S. 118-6, AND G. S. 118-7 TO THE TOWN OF VALDESE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 366, A BILL TO BE ENTITLED AN ACT TO PROVIDE A SUPPLEMENTAL RETIREMENT FUND FOR FIREMEN IN THE CITY OF NEW BERN AND TO MODIFY THE APPLICATION OF G. S. 118-5, G. S. 118-6, AND G. S. 118-7 TO THE CITY OF NEW BERN.

On motion of Representative Anderson, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 497, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 363 OF THE 1969 SESSION LAWS CONCERNING THE SUPPLEMENTAL RETIREMENT FUND FOR FIREMEN IN THE CITY OF NEWTON, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 586, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 26 OF THE PRIVATE LAWS OF 1937, AS AMENDED, TO PROVIDE THAT THE FIREMEN'S PENSION FUND OF WILMINGTON SHALL BE ADMINISTERED BY THE PENSION BOARD OF THE CITY OF WILMINGTON.

On motion of Representative Rhodes, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 587, A BILL TO BE ENTITLED AN ACT TO PROVIDE A FIREMEN'S BENEFIT FUND FOR FIREMEN IN THE CITY OF WILMINGTON AND TO MODIFY THE APPLICATION OF G. S. 118-5, G. S. 118-6, AND G. S. 118-7 TO THE CITY OF WILMINGTON.

On motion of Representative Rhodes, CommitteeAmendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 588, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 495 OF THE SESSION LAWS OF 1977 TO CLARIFY THE EFFECT OF SAID ACT, WHICH IS A CODIFICATION OF THE CHARTER OF THE CITY OF WILMINGTON, ON OTHER ACTS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 603, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 55 OF THE PRIVATE LAWS OF 1915, AS AMENDED, TO PROVIDE THAT THE POLICE PENSION FUND OF WILMINGTON SHALL BE ADMINISTERED BY THE PENSION BOARD OF THE CITY OF WILMINGTON.

On motion of Representative Rhodes, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 729, A BILL TO BE ENTITLED AN ACT TO TAX-SHELTER CONTRIBUTIONS TO THE CHARLOTTE FIREMEN'S RETIREMENT SYSTEM PURSUANT TO SECTION 414(h) (2) OF THE INTERNAL REVENUE CODE AND THEREBY INCREASE THE TAKE-HOME PAY OF EMPLOYEES OF THE FIRE DEPARTMENT OF THE CITY OF CHARLOTTE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 776, A BILL TO BE ENTITLED AN ACT TO MAKE MISCELLANEOUS CHANGES IN LOCAL LAWS AFFECTING ORANGE AND CHATHAM COUNTIES.

On motion of Representative Barnes, Committee Amendment No. 1 is adopted. This amendment changes the title.

The bill, as amended, passes its second reading and remains on the Calendar.

S. B. 239, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE ELECTIVE OFFICE OF MITCHELL COUNTY ACCOUNTANT SO AS TO ALLOW THE COUNTY BOARD OF COMMISSIONERS TO APPOINT A COUNTY FINANCE OFFICER UNDER THE GENERAL LAW.

Representative Lacey calls for the "ayes" and "noes", and the call is sustained.

The bill passes its second reading by the following vote.

Those voting in the affirmative are: Representatives Adams, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Bumgardner, Chapin, Childress, Church, Clark, Cook, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Greenwood, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holt, Hudson, Hunt, Hunter, Huskins, Jarrell, Jones, Lambeth, Lancaster, Lee, Lilley, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Nesbitt, Payne, Pool, Pulley, Rabon, Roberts, Seymour, Slaughter, Spaulding, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Watkins, Wicker, Womble, C. Woodard, and Wright — 77.

Voting in the negative: Representatives Allran, Brown, Brubaker, Burnley, Coble, Cochrane, Lacey, Ligon, Owens, Poovey, Redding, Rhodes, and Spoon — 13.

Excused absences: Representatives Brennan, N. J. Crawford, Bob Etheridge, Holmes, C. Hughes, and Keesee — 6.

There being no objectiom, the bill is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 242, A BILL TO BE ENTITLED AN ACT TO AMEND THE GREENSBORO PUBLIC SCHOOL CODE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 261, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON TO CLARIFY THE AUTHORITY OF CITY COUNCIL TO CONTRACT WITH NON-CITY AGENCIES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 282, A BILL TO BE ENTITLED AN ACT RELATING TO MOTOR VEHICLE TRAFFIC AT THE GREENSBORO-HIGH POINT AIRPORT AND FOR OTHER PURPOSES, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 285, A BILL TO BE ENTITLED AN ACT RELATING TO REMOVAL OF UNAUTHORIZED VEHICLES FROM PRIVATE LOTS IN FORSYTH COUNTY.

On motion of Representative Childress, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

S. B. 290, A BILL TO BE ENTITLED AN ACT REGARDING THE AUTHORITY OF THE CITY OF WILMINGTON TO REQUIRE A CERTIFICATE OF APPROPRIATENESS FOR EXTERIOR WORK TO STRUCTURES IN AN AREA DESIGNATED AS AN HISTORIC DISTRICT OVERLAY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 375, A BILL TO BE ENTITLED AN ACT TO PROVIDE A PROCEDURE FOR THE FILLING OF VACANCIES IN ELECTIVE OFFICE IN THE TOWN OF CHINA GROVE, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 466, A BILL TO BE ENTITLED AN ACT TO REPEAL LOCAL LEGISLATION PERTAINING TO DAIRY HERDS IN BUNCOMBE COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

SUSPENSION OF RULES TO INTRODUCE LOCAL BILL

On motion of Representative Rabon, Rule 31.1 is suspended by a two-thirds majority vote in order for a local bill to be filed.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Quinn for the Committee on Finance:

Committee Substitute for H. B. 230, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCOME TAX CREDIT FOR CERTAIN REAL PROPERTIES DONATED FOR CONSERVATION PURPOSES, with a favorable report.

By Representative Evans for the Committee on Banks and Thrift Institutions:

S. B. 403, A BILL TO BE ENTITLED AN ACT TO REWRITE ARTICLE 15 OF CHAPTER 54 OF THE GENERAL STATUTES PERTAINING TO CORPORATE CREDIT UNIONS, with a favorable report, as amended.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. B. 345, AN ACT TO PLACE A ONE-YEAR FREEZE ON THE GRANTING OF CERTIFICATES OF NEED FOR ALCOHOL TREATMENT BEDS, DRUG TREATMENT BEDS, OR BOTH.

H. B. 61, AN ACT TO MAKE CLARIFYING AND TECHNICAL AMENDMENTS TO VARIOUS INSURANCE STATUTES.

H. B. 752, AN ACT TO AMEND THE CONSUMER PROTECTION LAW TO MAKE IT EASIER FOR CONSUMERS TO ENFORCE THE RIGHTS GRANTED TO THEM UNDER THE LAW.

H. B. 858, AN ACT TO DELETE NEW HANOVER COUNTY FROM THE PROVISIONS OF THE GENERAL STATUTES RELATING TO VACANCIES ON BOARDS OF COMMISSIONERS IN CERTAIN COUNTIES.

H. B. 969, AN ACT TO CLARIFY PROCEDURES FOR CONTESTING DEBTS SUBMITTED FOR COLLECTION UNDER THE SETOFF DEBT COLLECTION ACT.

H. B. 1061, AN ACT TO ENSURE DUE PROCESS FOR PERSONS WHOSE CARS ARE TOWED PURSUANT TO A LAW ENFORCEMENT OFFICER'S ORDER.

S. B. 40, AN ACT TO AMEND CHAPTER 66, ARTICLE 19, TO CLARIFY THE SCOPE OF THE BUSINESS OPPORTUNITY SALES ACT.

On motion of Representative Hunt, seconded by Representative Black, the House adjourns to reconvene June 3, 1983 at 10:00 a.m.

ONE HUNDRED THIRD DAY

HOUSE OF REPRESENTATIVES
Friday, June 3, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Hauser.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of June 2 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Brawley, Brennan, Brubaker, Bumgardner, Economos, Gist, Holmes, C. Hughes, Mauney, Murphy, Seymour, and Spaulding for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Lancaster for the Committee on Judiciary No. 3:

H. B. 107, A BILL TO BE ENTITLED AN ACT REGARDING VISITATION RIGHTS OF NONPARENTS TO MINOR CHILDREN, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for June 7, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 767, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 90-108 TO PROHIBIT EMBEZZLEMENT OF CONTROLLED SUBSTANCES BY EMPLOYEES OF PRACTITIONERS AND REGISTRANTS, AND TO PROHIBIT "DOCTOR SHOPPING" AS A MEANS OF FRAUDULENTLY OBTAINING CONTROLLED SUBSTANCES FROM PRACTITIONERS, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for June 7, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 1021, A BILL TO BE ENTITLED AN ACT REGARDING VENUE FOR PAROLE CONSIDERATION HEARINGS, with an unfavorable report as to bill, favorable as to committee substitute bill, and recommendation that the substitute bill be re-referred to the Committee on Appropriations.

The substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Hunt for the Committee on Rules and Operation of the House:

H. J. R. 1052, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF THOMAS JAMES BAKER, A FORMER MEMBER OF THE GENERAL ASSEMBLY, with a favorable report.

H. B. 1142, A BILL TO BE ENTITLED AN ACT TO EXTEND THE STUDY OF THE STATE'S INTERESTS IN RAILROAD PROPERTIES, with a favorable report.

H. J. R. 1146, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE FEASIBILITY OF REDISTRICTING IN 1990 SO AS TO HAVE SINGLE-MEMBER DISTRICTS, with an unfavorable report.

S. J. R. 260, A JOINT RESOLUTION DESIGNATING WILMINGTON AS AN INTERNATIONAL CITY, with an indefinite postponement report.

S. J. R. 332, A JOINT RESOLUTION DIRECTING THE NORTH CAROLINA COURTS COMMISSION TO STUDY THE PROBLEM OF THE NORTH CAROLINA COURT OF APPEALS' CASE OVERLOAD, with a favorable report.

S. J. R. 340, A JOINT RESOLUTION DIRECTING THE NORTH CAROLINA COURTS COMMISSION TO STUDY THE JUDICIAL DIVISIONS OF THE SUPERIOR COURT DIVISION OF THE GENERAL COURT OF JUSTICE, with a favorable report.

By Representative Bruce Ethridge for the Committee on Natural and Economic Resources:

H. B. 886, A BILLTO BE ENTITLED AN ACT TO PROVIDE FOR REASONABLE BEACH ACCESS WITHIN THE TOWN OF EMERALD ISLE, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for June 7, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Helms for the Committee on Courts and Administration of Justice.

H. B. 913, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHEN A DISTRICT COURT JUDGE TRANSFERS A JUVENILE FELONY CASE TO SUPERIOR COURT, THE SUPERIOR COURT HAS JURISDICTION OVER THAT FELONY, ANY RELATED OFFENSE, AND ANY GREATER OR LESSER INCLUDED OFFENSE OF THAT FELONY, with a favorable report.

By Representative Wicker for the Committee on Law Enforcement:

H. B. 698, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE PROHIBITION AGAINST DANGEROUS WEAPONS AT PARADES, with a favorable report.

H. B. 967, A BILL TO BE ENTITLED AN ACT TO REQUIRE TWO REGISTRATION PLATES FOR CERTAIN VEHICLES AND TO MAKE OTHER CHANGES IN

THE REGISTRATION LAW, with an unfavorable report as to bill, favorable as to committee substitute bill, and recommendation that the substitute bill be re-referred to the Committee on Appropriations.

The substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Miller for the Committee on Judiciary No. 1:

H. B. 537, A BILL TO BE ENTITLED AN ACT TO FURTHER EQUALIZE BETWEEN MARRIED PERSONS THE RIGHT TO INCOME, POSSESSION AND CONTROL OF PROPERTY OWNED JOINTLY AS TENANTS BY THE ENTIRETY, with an indefinite postponement report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Anderson, Barker, and Lilley:

H. B. 1196, A BILL TO BE ENTITLED AN ACT TO PLACE THE PRESIDENT OF THE NORTH CAROLINA SOCIETY OF FIRE INSTRUCTORS ON THE STATE FIRE COMMISSION, is referred th the Committee on State Government.

By Representative Anderson:

H. B. 1197, A BILL TO BE ENTITLED AN ACT TO AMEND THE WORKERS' COMPENSATION SECURITY FUND ACT, is referred to the Committee on Insurance.

By Representative Lambeth:

H. B. 1198, A BILL TO BE ENTITLED AN ACT TO REGULATE THE TAKING OF EXOTIC SPECIES OF WILD ANIMALS AND BIRDS OR SPECIES NOT INDIGENOUS TO THE AREA, is referred to the Committee on Wildlife Resources.

By Representatives DeVane, J. W. Crawford, Hasty, Locks, Roberts, Warren, and C. Woodard:

H. B. 1199, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE POSITION OF COUNTY COMMISSIONERS SERVING ON OTHER BOARDS WHOSE MEMBERS ARE APPOINTED BY THE BOARD OF COUNTY COMMISSIONERS, is referred to the Committee on Judiciary No. 2.

By Representative Helms:

H. B. 1200, A BILL TO BE ENTITLED AN ACT APPROPRIATING FUNDS FOR PROGRAMS THAT REDUCE DRUG-RELATED CRIME AND CRIMINAL RECIDIVISM AMONG SUBSTANCE-ABUSING OFFENDERS IN MECKLENBURG COUNTY, is referred to the Committee on Appropriations.

By Representatives Barnes, Blue, Brubaker, Gillam, Hackney, James, Locks, Lutz, McAlister, Murphy, and Wright:

H. B. 1201, A BILL TO BE ENTITLED AN ACT TO CHANGE THE ELIGIBILITY REQUIREMENTS FOR USE-VALUE CLASSIFICATION OF AGRICULTURAL LAND, is referred to the Committee on Finance.

By Representative Clark:

H. B. 1202, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE FILING OF A NOTICE OF APPEAL WITHIN THIRTY DAYS IN ALL APPEALS TAKEN FROM DECISIONS OR ORDERS OF THE PROPERTY TAX COMMISSION, is referred to the Committee on Courts and Administration of Justice.

By Representative Church:

H. B. 1203, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE FEE FOR SPECIAL CIVIL AIR PATROL PLATES, is referred to the Committee on Transportation.

By Representatives Rabon, Bowen, DeVane, Hasty, Lancaster, Locks, Murphy, Payne, Pool, Rhodes, and Wright:

H. J. R. 1204, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE OFFICE OF REGISTER OF DEEDS, is referred to the Committee on Rules and Operation of the House.

By Representative Rabon:

H. B. 1205, A BILL TO BE ENTITLED AN ACT TO EMPOWER THE UTILITIES COMMISSION TO EXEMPT PERSONS PROVIDING RADIO COMMON CARRIER TYPE SERVICES FROM REGULATION IN COMMUNITIES IN WHICH SUCH SERVICES ARE BEING PROVIDED BY MORE THAN ONE PERSON, is referred to the Committee on Public Utilities.

By Representative Rabon:

H. B. 1206, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE USE OF SCHOOL BUSES IN BRUNSWICK COUNTY, is referred to the Committee on Education.

By Representatives Roberts, Chapin, Coble, Fussell, Gillam, Gist, Grimsley, Hayden, Stamey, and Tyndall:

H. B. 1207, A BILL TO BE ENTITLED AN ACT TO EXEMPT COIN-OPERATED LAUNDRIES FROM SALES TAX, is referred to the Committee on Finance.

By Representatives Lilley and Foster:

H.B. 1208, A BILL TO BE ENTITLED AN ACT TO INCREASE THE EXCISE TAXES ON BEER AND LIQUOR AND TO INCREASE THE FEE FOR A MIXED BEVERAGE LICENSE, is referred to the Committee on Finance.

By Representatives Murphy, J. W. Crawford, Gillam, and James:

H. B. 1209, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR AN EXPANDED CROP SCIENCE CORN RESEARCH AND EXTENSION POSITION, is referred to the Committee on Appropriations.

By Representatives Evans, James, and Lancaster:

H. J. R. 1210, A JOINT RESOLUTION CALLING UPON THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE TO APPOINT A LEGISLATIVE DELEGATION TO ATTEND CEREMONIES IN GREAT BRITAIN CELEBRATING THE FOUR HUNDREDTH ANNIVERSARY OF THE ROANOKE VOYAGES, is referred to the Committee on Rules and Operation of the House.

By Representatives Evans and James (co-sponsors):

H. J. R. 1211, A JOINT RESOLUTION MEMORIALIZING THE CONGRESS TO PASS EMERGENCY LEGISLATION TO OPEN UP THE TREACHEROUS CHANNEL AT OREGON INLET, is referred to the Committee on Rules and Operation of the House.

By Representative Lambeth:

H. B. 1212, A BILL TO BE ENTITLED AN ACT TO PERMIT CERTAIN DOGS IN INNS AND HOTELS, is referred to the Committee on Health.

By Representatives Lambeth, Anderson, Brown, Creecy, Gentry, Helms, Hightower, J. Hughes, Lilley, Mauney, Poovey, Varner, and Womble:

H. B. 1213, A BILL TO BE ENTITLED AN ACT TO PREVENT THE USE OF ARTIFICIAL LIGHTS IN TAKING DEPREDATING DEER, is referred to the Committee on Wildlife Resources.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 2, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the Senate adopts the report of the conferees on House Committee Substitute for Senate Committee Substitute No. 2 for Senate Bill 1 (Sixth Edition Engrossed 3/30/83), A BILL TO BE ENTITLED AN ACT TO PROVIDE SAFE ROADS BY REQUIRING MANDATORY JAIL TERMS FOR GROSSLY AGGRAVATED DRUNKEN DRIVERS, PROVIDING AN EFFECTIVE DETERRENT TO REDUCE THE INCIDENCE OF IMPAIRED DRIVING, AND CLARIFYING THE STATUTES RELATED TO DRINKING AND DRIVING, to the end that when a similar action has been taken on the part of the House, we will order the bill enrolled.

Respectfully,
S/ SYLVIA M. FINK
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 2, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the Senate adopts the report of the conferees on Senate Committee Substitute for H. B. 198 (Adopted 5/13/83), A BILL TO BE ENTITLED AN ACT TO EXEMPT NONRESIDENT MILITARY DEPENDENTS FROM DRIVER'S LICENSE REQUIREMENTS, to the end that when a similar action has been taken on the part of the House, you may order the bill enrolled.

Respectfully,
S/ SYLVIA M. FINK
Principal Clerk

Representative Fussell sends forth the following Conference Report and moves its adoption.

CONFERENCE REPORT

June 3, 1983

TO: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on Senate Committee Substitute for House Bill 198 (adopted 5/13/83), A BILLTO BE ENTITLED AN ACT TO EXEMPT NONRESIDENT MILITARY DEPENDENTS FROM DRIVER'S LICENSE REQUIREMENTS, wish to report as follows:

The Conference Committee recommends that the differences between the Senate and House of Representatives regarding the Senate Committee Substitute for House Bill 198 (adopted 5/13/83) be resolved by deleting from line 7 of page 1 of the bill the following: "(a)"

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 3rd day of June, 1983.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ Robert D. Warren	S/ Aaron E. Fussell
S/ Anthony E. Rand	S/ John T. Church
S/ J. J. Harrington	S/ H. Martin Lancaster

The Conference Report is adopted and the Speaker orders the bill enrolled and the Senate is so notified by Special Message.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H. B. 817, A BILL TO BE ENTITLED AN ACT REGARDING ESCAPES FROM LOCAL CONFINEMENT FACILITIES, is returned for concurrence in Senate amendment and is placed on the Calendar for June 6, 1983.

H. B. 850, A BILL TO BE ENTITLED AN ACT TO ALLOW SALE OF HISTORIC PROPERTIES BY CITIES AND COUNTIES, is returned for concurrence in Senate amendment and is placed on the Calendar for June 6, 1983.

H. B. 893, A BILL TO BE ENTITLED AN ACT AMENDING THE ELIGIBILITY REQUIREMENTS FOR ABC STORE AND MIXED BEVERAGE ELECTIONS AND THE AUTHORIZATION OF SPECIAL OCCASION AND LIMITED SPECIAL OCCASION PERMITS, is returned for concurrence in Senate amendment and is placed on the Calendar for June 6, 1983.

Committee Substitute for S. B. 392, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY TO ISSUE CUSTODY ORDERS APPLICABLE TO JUVENILES WITHIN THE JUVENILE JURISDICTION OF THE DISTRICT COURT AND THE CRITERIA FOR CUSTODY ORDERS, is read the first time and is referred to the Committee on Judiciary No. 2.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for H. B. 683, A BILLTO BE ENTITLED AN ACT TO REWRITE G. S. 20-217 PERTAINING TO PASSING STOPPED SCHOOL BUSES AND RECEIVING OR DISCHARGING PASSENGERS FROM SCHOOL BUSES STOPPED ON DIVIDED ROADWAYS.

On motion of Representative Lilley, the bill is re-referred to the Committee on Highway Safety.

S. B. 349, A BILL TO BE ENTITLED AN ACT TO AMEND THE ENABLING ACT OF THE GREENSBORO–HIGH POINT AIRPORT AUTHORITY, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Allran, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Bowen, Brannan, Brown, Burnley, Chapin, Childress, Church, Clark, Cochrane, Colton, Cook, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Edwards, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hightower, Holt, Hudson, Hunt, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Lutz, McAlister, McDowell, Matthews, Mavretic, Miller, Musselwhite, Nash, Nesbitt, Owens, Pool, Poovey, Pulley, Rabon, Redding, Rhodes, Roberts, Robinson, Slaughter, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 90.

Voting in the negative: Representative Hayden.

Excused absences: Representatives Brawley, Brennan, Brubaker, Bumgardner, Economos, Gist, Holmes, C. Hughes, Mauney, Murphy, Seymour, and Spaulding — 12.

S. B. 353, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF MURFREESBORO AND TO REPEAL PRIOR LOCAL ACTS, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Allran, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Bowen, Brannan, Brown, Burnley, Chapin, Childress, Church, Clark, Cochrane, Colton, Cook, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Edwards, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hightower, Holt, Hudson, Hunt, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Lutz, McAlister, McDowell, Matthews, Mavretic, Miller, Musselwhite, Nash, Nesbitt, Owens, Pool, Poovey, Pulley, Rabon, Redding, Rhodes, Roberts, Robinson, Slaughter, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 90.

Voting in the negative: Representative Hayden.

Excused absences: Representatives Brawley, Brennan, Brubaker, Bumgardner, Economos, Gist, Holmes, C. Hughes, Mauney, Murphy, Seymour, and Spaulding — 12.

S. B. 364, A BILL TO BE ENTITLED AN ACT TO INCLUDE TWO SATELLITE AREAS WITHIN THE CORPORATE LIMITS OF THE TOWN OF FOUR OAKS, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Allran, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Bowen, Brannan, Brown, Burnley, Chapin, Childress, Church, Clark, Cochrane, Colton, Cook, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Edwards, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hightower, Holt, Hudson, Hunt, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Lutz, McAlister, McDowell, Matthews, Mavretic, Miller, Musselwhite, Nash, Nesbitt, Owens, Pool, Poovey, Pulley, Rabon, Redding, Rhodes, Roberts, Robinson, Slaughter, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 90.

Voting in the negative: Representative Hayden.

Excused absences: Representatives Brawley, Brennan, Brubaker, Bumgardner, Economos, Gist, Holmes, C. Hughes, Mauney, Murphy, Seymour, and Spaulding — 12.

S. B. 386, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM.

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House amendment.

Those voting in the affirmative are: Representatives Adams, Allran, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Bowen, Brannan, Brown, Burnley, Chapin, Childress, Church, Clark, Cochrane, Colton, Cook, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Edwards, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hightower, Holt, Hudson, Hunt, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Lutz, McAlister, McDowell, Matthews, Mavretic, Miller, Musselwhite, Nash, Nesbitt, Owens, Pool, Poovey, Pulley, Rabon, Redding, Rhodes, Roberts, Robinson, Slaughter, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 90.

Voting in the negative: Representative Hayden.

Excused absences: Representatives Brawley, Brennan, Brubaker, Bumgardner, Economos, Gist, Holmes, C. Hughes, Mauney, Murphy, Seymour, and Spaulding — 12.

H. B. 776, A BILL TO BE ENTITLED AN ACT TO MAKE MISCELLANEOUS CHANGES IN LOCAL LAWS AFFECTING ORANGE COUNTY.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 624, A BILL TO BE ENTITLED AN ACT TO REPEAL LOCAL LEGISLATION REGARDING DEER HUNTING IN STOKES COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S. B. 432, A BILL TO BE ENTITLED AN ACT TO PROHIBIT BEAR HUNTING WITH DOGS IN PAMLICO COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 177, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT DRIVERS' LICENSES AND SPECIAL IDENTIFICATION CARDS BE COLOR-CODED ACCORDING TO AGE, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Allran, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brown, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, Diamont, Easterling, Edwards, Enloe, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holt, Hudson, Hunt, Huskins, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Miller, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Slaughter, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Wicker, Womble, C. Woodard, and Wright — 93.

Voting in the negative: None.

Excused absences: Representatives Brawley, Brennan, Brubaker, Bumgardner, Economos, Gist, Holmes, C. Hughes, Mauney, Murphy, Seymour, and Spaulding — 12.

H. B. 1117, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA SECURITIES ACT.

Representative Payne offers Amendment No. 2 which is adopted by electronic vote (93-0).

The bill, as amended, passes its third reading, by electronic vote (88-0), and is ordered engrossed and sent to the Senate.

Committee Substitute for H. B. 559, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF LANDFILLING FOR CERTAIN CLASSES OF HAZARDOUS WASTES AND OTHER SOLID WASTES.

Representative Diamont moves that consideration of the bill be postponed until June 10, 1983.

Representative Quinn moves, seconded by Representative Holt, that the motion to postpone do lie upon the table and this motion fails by electronic vote (48-49).

Representative McAlister calls the previous question on the passage of the bill, and the Speaker rules this motion out of order.

Representative Diamont calls the previous question on the motion to postpone and this motion carries by electronic vote (80-20).

Now the question is the motion of Representative Diamont to postpone consideration of the bill until June 10, 1983 and this motion fails by electronic vote (46-56).

Representative McAlister calls the previous question on the passage of the bill, and the call is sustained by electronic vote (57-42).

The bill, as amended, passes its third reading, by electronic vote (66-36), and is ordered engrossed and sent to the Senate.

H. B. 954, A BILL TO BE ENTITLED AN ACT TO REGULATE THE PURCHASE OF MUTUAL BURIAL ASSOCIATIONS, passes its third reading, by electronic vote (88-0), and is ordered sent to the Senate.

S. B. 39, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 39 TO FURTHER EQUALIZE BETWEEN MARRIED PERSONS THE RIGHT TO INCOME, POSSESSION AND CONTROL IN PROPERTY OWNED CONCURRENTLY IN TENANCY BY THE ENTIRETY.

Representative Slaughter calls the previous question on the passage of the bill, and the call is sustained.

The bill passes its third reading, by electronic vote (75-19), and is ordered enrolled.

Committee substitute for H.B. 947, A BILL TO BE ENTITLED AN ACT CONCERNING THE HARBORING OF INDIVIDUALS KNOWN TO BE THE SUBJECT OF OUTSTANDING WARRANTS FOR ARREST, passes its second reading, by electronic vote (82-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 122, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 20-108 TO PROVIDE FOR SEIZURE AND DISPOSITION OF MOTOR VEHICLES OR COMPONENT PARTS WHICH DO NOT CARRY IDENTIFYING NUMBERS OR CARRY ALTERED, CHANGED OR OBLITERATED NUMBERS, passes its second reading, by electronic vote (81-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 806, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE HIT AND RUN STATUTE TO PROVIDE THAT A DRIVER MUST ONLY HAVE KNOWLEDGE THAT HE WAS INVOLVED IN AN ACCIDENT OR COLLISION AND NOT THAT SUCH ACCIDENT OR COLLISION CAUSED INJURY OR DEATH OR PROPERTY DAMAGE AND TO CLARIFY THE RESPONSIBILITY OF A DRIVER INVOLVED IN AN ACCIDENT.

On motion of Representative Blue, the bill is re-referred to the Committee on Judiciary No. 1.

H. B. 961, A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL FOR ANY PERSON TO BE INTOXICATED ON ANY HIGHWAY.

On motion of Representative Wicker, Committee Amendment No. 1 is adopted.

Representative Hackney offers Amendment No. 2 which is adopted.

On motion of Representative Nesbitt, the bill is ordered engrossed and re-referred to the Committee on Judiciary No. 4.

House Committee Substitute Joint Resolution for H. B. 621, A JOINT RESOLUTION ENCOURAGING LOCAL BOARDS OF EDUCATION TO SCHEDULE TEACHER WORKDAYS WITHIN TEN DAYS OF ELECTION DAY ON ELECTION DAY, passes its second reading, by electronic vote (89-2), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 60, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW CONCERNING UNDERINSURED MOTORIST COVERAGE.

On motion of Representative Grimsley, consideration of the bill is postponed until June 6, 1983.

H. B. 79, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REGULATION OF HAZARDOUS WASTE AND PCB LANDFILLS.

On motion of Representative Mavretic, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading by electronic vote (88-0).

Representative Ballance objects to the third reading. The bill remains on the Calendar.

H. B. 237, A BILL TO BE ENTITLED AN ACT TO ALLOW A RESCUE SQUAD WORKER ELIGIBLE FOR MEMBERSHIP IN THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKER'S PENSION FUND TO PURCHASE AS MANY AS TWO HUNDRED AND FORTY MONTHS OF PRIOR SERVICE, ON OR BEFORE DECEMBER 31, 1983.

On motion of Representative Bob Etheridge, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (86-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 1147, A BILL TO BE ENTITLED AN ACT TO INCREASE THE VALUE OF WORK THAT MAY BE DONE WITHOUT A BUILDING PERMIT FOR SMALL JOBS.

On motion of Representative Lilley, Committee Amendment No. 1 is adopted.

On motion of Representative Lilley, Committee Amendment No. 2 fails of adoption.

Representative Lilley offers Amendment No. 3 which is adopted.

Representative Jordan calls the previous question on the passage of the bill, and the call is sustained.

The bill, as amended, passes its second reading by electronic vote (57-22).

Representative Hudson objects to the third reading. The bill remains on the Calendar.

Representative Barbee presiding.

Committee Substitute for H. B. 513, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE FILING OF A NOTICE OF APPEAL IN ALL APPEALS TAKEN FROM DECISIONS OR ORDERS OF THE UTILITIES COMMISSION, passes its second reading, by electronic vote (62-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 774, A BILL TO BE ENTITLED AN ACT REGARDING PROBATION REVOCATION IN A COUNTY OTHER THAN THE COUNTY OF ORIGINAL CONVICTION, passes its second reading, by electronic vote (66-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 179, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 50 OF THE GENERAL STATUTES TO ESTABLISH PROCEDURES TO INSURE PAYMENT OF CHILD SUPPORT.

On motion of Representative Hackney, consideration of the bill is postponed until June 10, 1983.

Committee Substitute for H. B. 180, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 15A OF THE GENERAL STATUTES TO ESTABLISH PROCEDURES TO INSURE PAYMENT OF CHILD SUPPORT.

On motion of Representative Hackney, consideration of the bill is postponed until June 10, 1983.

H. B. 1140, A BILL TO BE ENTITLED AN ACT TO PERMIT TAKING STRIPED BASS FROM THE TAR RIVER WITH BOW NETS AND DIP NETS UNDER CERTAIN CONDITIONS.

On motion of Representative Mavretic, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (61-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 1057, A BILL TO BE ENTITLED AN ACT TO REGULATE FOLLOWING DISTANCES BETWEEN SCHOOL BUSES OUTSIDE AND WITHIN MUNICIPALITIES, passes its second reading by electronic vote (64-7).

Representative Bruce Ethridge objects to the third reading. The bill remains on the Calendar.

H. B. 1108, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 97-28 TO PERMIT USE OF LEAVE DURING THE FIRST SEVEN DAYS OF DISABILITY UNDER THE WORKER'S COMPENSATION ACT, passes its second reading, by electronic vote (71-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Representative Fulcher requests that he be recorded as voting in the affirmative on third reading.

Committee Substitute for H. B. 230, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCOME TAX CREDIT FOR CERTAIN REAL PROPERTIES DONATED FOR CONSERVATION PURPOSES.

Representative Mavretic offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading by electronic vote (74-0).

Representative Blue objects to the third reading. The bill remains on the Calendar.

S. B. 321, A BILL TO BE ENTITLED AN ACT TO MAKE APPROPRIATE PUNISHMENT CLASSIFICATIONS FOR CONSPIRACIES TO COMMIT FELONIES, passes its second reading, by electronic vote (71-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 474, A BILL TO BE ENTITLED AN ACT TO CHANGE THE COMPOSITION OF THE COMMITTEE ON EMPLOYEE HOSPITAL AND MEDICAL BENEFITS, passes its second reading, by electronic vote (73-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

House Committee Substitute for S. B. 229, A BILL TO BE ENTITLED AN ACT REQUIRING A COST STATEMENT TO APPEAR ON STATE PUBLICATIONS.

On motion of Representative Church, consideration of the bill is postponed until June 7, 1983.

S. B. 443, A BILL TO BE ENTITLED AN ACT TO EXTEND FOR TWO YEARS THE TIME FOR COMPLIANCE BY INSURERS WITH THE LAW REGARDING THE AMOUNT OF CAPITAL AND/OR SURPLUS REQUIRED FOR THE FORMATION AND ORGANIZATION OF COMPANIES.

On motion of Representative Hightower, consideration of the bill is postponed until June 7, 1983.

S. B. 268, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 143 OF THE GENERAL STATUTES, ARTICLE 21, PART 8, SO AS TO MAKE FLOOD CONTROL PROJECTS AND ALL LOCAL WATER-BASED RECREATION PROJECTS ELIGIBLE FOR COST-SHARING, passes its second reading, by electronic vote (72-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 434, A BILL TO BE ENTITLED AN ACT REGARDING CONFIDENTIAL COMMUNICATIONS BETWEEN PHYSICIAN AND PATIENT.

On motion of Representative Pulley, consideration of the bill is postponed until June 7, 1983.

S. B. 235, A BILL TO BE ENTITLED AN ACT TO REINSTATE THE FELONY CHARGE AND PUNISHMENT FOR SECOND ESCAPES AND TO CLARIFY A YOUTHFUL OFFENDER ESCAPE PROVISION.

On motion of Representative Wright, consideration of the bill is postponed until June 7, 1983.

Committee Substitute for S. B. 318, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PUNISHMENT FOR CHILD ABUSE SO IT MORE ACCURATELY REFLECTS THE SERIOUSNESS OF THE CRIME.

On motion of Representative Wright, consideration of the bill is postponed until June 7, 1983.

S. B. 403, A BILL TO BE ENTITLED AN ACT TO REWRITE ARTICLE 15 OF CHAPTER 54 OF THE GENERAL STATUTES PERTAINING TO CORPORATE CREDIT UNIONS.

On motion of Representative Evans, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (75-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 579, AN ACT TO INCREASE THE MINIMUM AMOUNT FOR CONSTRUCTION CONTRACTS WHICH REQUIRE PERFORMANCE AND PAYMENT BONDS.

H. B. 607, AN ACT TO PROHIBIT HUNTING FROM ROADS AND TO PROHIBIT DEER HUNTING ON THE LANDS OF ANOTHER WITHOUT THE CONSENT OF THE LANDOWNER IN WILSON COUNTY.,

H. B. 825, AN ACT TO ADD DUPLIN COUNTY TO THE LIST OF COUNTIES THAT MAY USE ATTACHMENT AND GARNISHMENT TO COLLECT FEES FOR AMBULANCE SERVICES.

H. B. 1001, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF ELLENBORO AND TO REPEAL PRIOR LOCAL ACTS.

H. B. 565, AN ACT TO AMEND G. S. 20-79.2 PERTAINING TO TRANSPORTER REGISTRATION PLATES.

S. B. 49, AN ACT RELATING TO THE APPOINTMENT OF NOTARIES PUBLIC.

S. B. 239, AN ACT TO ABOLISH THE ELECTIVE OFFICE OF MITCHELL COUNTY ACCOUNTANT SO AS TO ALLOW THE COUNTY BOARD OF COMMISSIONERS TO APPOINT A COUNTY FINANCE OFFICER UNDER THE GENERAL LAW.

S. B. 242, AN ACT TO AMEND THE GREENSBORO PUBLIC SCHOOL CODE.

S. B. 261, AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON TO CLARIFY THE AUTHORITY OF CITY COUNCIL TO CONTRACT WITH NON-CITY AGENCIES.

S. B. 282, AN ACT RELATING TO MOTOR VEHICLE TRAFFIC AT THE GREENSBORO–HIGH POINT AIRPORT AND FOR OTHER PURPOSES.

S. B. 290, AN ACT REGARDING THE AUTHORITY OF THE CITY OF WILMINGTON TO REQUIRE A CERTIFICATE OF APPROPRIATENESS FOR EXTERIOR WORK TO STRUCTURES IN AN AREA DESIGNATED AS AN HISTORIC DISTRICT OVERLAY.

S. B. 375, AN ACT TO PROVIDE A PROCEDURE FOR THE FILLING OF VACANCIES IN ELECTIVE OFFICE IN THE TOWN OF CHINA GROVE.

S. B. 466, AN ACT TO REPEAL LOCAL LEGISLATION PERTAINING TO DAIRY HERDS IN BUNCOMBE COUNTY.

S. B. 1, AN ACT TO PROVIDE SAFE ROADS BY REQUIRING MANDATORY JAIL TERMS FOR GROSSLY AGGRAVATED DRUNKEN DRIVERS, PROVIDING AN EFFECTIVE DETERRENT TO REDUCE THE INCIDENCE OF IMPAIRED DRIVING, AND CLARIFYING THE STATUTES RELATED TO DRINKING AND DRIVING.

On motion of Representative Hunt, seconded by Representative Thomas, the House adjourns to reconvene Monday, June 6, 1983 at 7:00 p.m.

ONE HUNDRED FOURTH DAY

HOUSE OF REPRESENTATIVES
Monday, June 6, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Lilley.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of June 3 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Edwards, Bob Etheridge, Fletcher, Huskins, and Ligon for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Mavretic for the Committee on Pensions and Retirement:

H. B. 456, A BILL TO BE ENTITLED AN ACT TO REINSTATE PORTIONS OF THE PREVIOUS PROVISIONS OF LAW REGARDING THE TREATMENT OF REEMPLOYED RETIREES IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM AND THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, with a favorable report.

S. B. 74, A BILL TO BE ENTITLED AN ACT TO AMEND THE REQUIREMENTS FOR RECEIPT OF SERVICE AND DISABILITY RETIREMENT BENEFITS FROM THE DURHAM FIREMEN'S SUPPLEMENTAL RETIREMENT SYSTEM, with a favorable report.

Committee Substitute S. B. 140, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT THAT CAN BE RECEIVED IN BENEFITS FROM THE LEXINGTON FIREMEN'S SUPPLEMENTAL RETIREMENT FUND, with a favorable report.

S. B. 160, A BILL TO BE ENTITLED AN ACT TO AMEND THE WINSTON-SALEM FIREMEN'S RETIREMENT FUND ASSOCIATION, with a favorable report.

S. B. 248, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 899 OF THE SESSION LAWS OF 1953 RELATING TO INVESTMENTS AND MONTHLY BENEFITS UNDER THE GREENSBORO FIREMEN'S SUPPLEMENTAL RETIREMENT SYSTEM, with a favorable report.

S. B. 277, A BILL TO BE ENTITLED AN ACT TO CHANGE THE WAITING PERIOD FOR RETIREMENT REFUNDS IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND UNIFORM JUDICIAL RETIREMENT SYSTEM, with a favorable report.

S. B. 293, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING THE LAW ENFORCEMENT OFFICERS' BENEFIT AND RETIREMENT FUND SO AS TO RECEIVE A FAVORABLE DETERMINATION AS A QUALIFIED TRUST BY THE INTERNAL REVENUE SERVICE AND TO THEN CAUSE

A TAX SHELTERING FROM CURRENT INCOME OF MEMBERS' CONTRIBUTIONS, with a favorable report.

Committee Substitute for S. B. 294, A BILL TO BE ENTITLED AN ACT TO TAX SHELTER FROM CURRENT INCOME THE CONTRIBUTIONS OF MEMBERS PAID TO THE UNIFORM JUDICIAL, SOLICITORIAL AND CLERKS OF SUPERIOR COURT RETIREMENT SYSTEMS BY CONFORMING STATE LAW TO THE REQUIREMENTS OF SECTION 414(h) OF THE UNITED STATES INTERNAL REVENUE CODE, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives DeVane, Helms, Warren, and C. Woodard:

H. B. 1214, A BILL TO BE ENTITLED AN ACT TO ALLOW A WRITTEN WAIVER OF APPEARANCE BY DEFENDANTS CHARGED WITH HUNTING, FISHING, OR BOATING OFFENSES, is referred to the Committee on Judiciary No. 2.

By Representatives Beam, Black, Grimsley, Hightower, Hunter, Mauney, Robinson, Watkins, and B. Woodard:

H. B. 1215, A BILL TO BE ENTITLED AN ACT TO CLASSIFY METHAQUALONE AS A SCHEDULE I CONTROLLED SUBSTANCE, is referred to the Committee on Judiciary No. 4.

By Representative Hunter:

H. B. 1216, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE YANCEY COUNTY ECONOMIC DEVELOPMENT COMMISSION, is referred to the Committee on Appropriations.

By Representatives Foster, Fussell, and Hauser:

H. B. 1217, A BILL TO BE ENTITLED AN ACT TO RESTORE INCENTIVES FOR TEACHERS TO EARN ADVANCED DEGREES AND THUS BECOME BETTER TEACHERS, is referred to the Committee on Appropriations.

By Representatives Locks, Allran, Anderson, Ballance, Beam, Beard, Berry, Black, Blue, Bowen, Brawley, Bumgardner, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, J. W. Crawford, N. J. Crawford, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fletcher, Foster, Fulcher, Fussell, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Hudson, J. Hughes, Hunter, James, Jarrell, Jeralds, Jones, Jordan, Kennedy, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Musselwhite, Nesbitt, Owens, Payne, Pool, Poovey, Quinn, Rabon, Rhodes, Roberts, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyson, Wicker, Womble, C. Woodard, and Wright:

H. B. 1218, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS FOR THE SICKLE CELL SYNDROME PROGRAM, is referred to the Committee on Appropriations.

By Representative Beall:

H. B. 1219, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ELECTRONIC DATA PROCESSING FOR THE DEPARTMENT OF INSURANCE, is referred to the Committee on Appropriations.

By Representatives Ballance, Berry, J. W. Crawford, and Locks:

H. B. 1220, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR HISTORIC HALIFAX STATE HISTORIC SITE, is referred to the Committee on Appropriations.

By Representative Evans:

H. B. 1221, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN LIMITED PARTNERSHIP DEBT OBLIGATIONS FROM THE APPLICATION OF THE STATE'S INTEREST LAWS, is referred to the Committee on Banks and Thrift Institutions.

By Representative Auman:

H. B. 1222, A BILL TO BE ENTITLED AN ACT TO ALLOW COUNTY SERVICE DISTRICTS ESTABLISHED FOR FIRE PROTECTION PURPOSES TO ALSO FURNISH EMERGENCY MEDICAL, RESCUE AND AMBULANCE SERVICES, is referred to the Committee on Finance.

By Representatives Adams, Anderson, Ballance, Barnes, Beall, Beam, Berry, Black, Blue, Brennan, Brown, Burnley, Childress, Colton, Cook, Creecy, DeVane, Easterling, Economos, Edwards, Enloe, Bruce Ethridge, Foster, Fulcher, Gentry, Gillam, Hasty, Hauser, Hayden, Hudson, Huskins, Jarrell, Jeralds, Keesee, Kennedy, Lacey, Lancaster, Lee, Locks, Lutz, Mauney, Musselwhite, Payne, Pulley, Rabon, Seymour, Slaughter, Stamey, Tennille, Thomas, Tyndall, Tyson, Watkins, Womble, and B. Woodard:

H. B. 1223, A BILL TO BE ENTITLED AN ACT TO ALLOW THIRD PARTY REIMBURSEMENTS DIRECTLY TO NURSES FOR PROFESSIONAL SERVICES RENDERED, is referred to the Committee on Insurance.

MESSAGEES FROM THE SENATE

The following are received from the Senate:

H. B. 700, A BILL TO BE ENTITLED AN ACT TO ALLOW THE STATE TO TAKE A VOLUNTARY DISMISSAL WITH LEAVE WHEN A DEFENDANT IS FOUND INCAPABLE OF PROCEEDING, is returned for concurrence in Senate amendment and is placed on the Calendar for June 7, 1983.

S. B. 533, A BILL TO BE ENTITLED AN ACT TO AMEND THE SAFE DRIVER INSURANCE PLAN PROVISIONS ON THE PROPERTY DAMAGE MONETARY THRESHOLD FOR CHARGEABLE ACCIDENTS, is read the first time and is referred to the Committee on Insurance.

CALENDAR

Action is taken on the following:

H. B. 817, A BILL TO BE ENTITLED AN ACT REGARDING ESCAPES FROM LOCAL CONFINEMENT FACILITIES.

On motion of Representative Evans, the house concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 850, A BILL TO BE ENTITLED AN ACT TO ALLOW SALE OF HISTORIC PROPERTIES BY CITIES AND COUNTIES.

On motion of Representative Colton, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 893, A BILL TO BE ENTITLED AN ACT AMENDING THE ELIGIBILITY REQUIREMENTS FOR ABC STORE AND MIXED BEVERAGE ELECTIONS AND THE AUTHORIZATION OF SPECIAL OCCASION AND LIMITED SPECIAL OCCASION PERMITS.

On motion of Representative Clark, the House concurs in the Senate amendment and the bill is ordered enrolled.

Committee Substitute for H. B. 502, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 105-275 CONCERNING EXCLUSIONS FROM THE PROPERTY TAX BASE FOR POLLUTION CONTROL PURPOSES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Brannan, Brawley, Brennan, Brown, Bumgardner, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Enloe, Bruce Ethridge, Fenner, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Musselwhite, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 101.

Voting in the negative: Representative Barker.

Excused absences: Representatives Edwards, Bob Etheridge, Fletcher, Helms, Huskins, and Ligon — 6.

H. B. 79, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REGULATION OF HAZARDOUS WASTE AND PCB LANDFILLS.

Representative Nesbitt offers Amendment No. 2 which is adopted by electronic vote (102-4).

Representative Hunter offers Amendment No. 3 which is adopted by electronic vote (89-8).

Representative Bruce Ethridge moves that the bill and amendments be re-referred to the Committee on Water and Air Resources.

On motion of Representative Ballance, consideration of the bill is postponed until June 13, 1983 by electronic vote (83-21).

H. B. 1147, A BILL TO BE ENTITLED AN ACT TO INCREASE THE VALUE OF WORK THAT MAY BE DONE WITHOUT A BUILDING PERMIT FOR SMALL JOBS.

Representative Fenner offers Amendment No. 4 which is adopted by electronic vote (85-14).

The bill, as amended, passes its third reading, by electronic vote (62-45), and is ordered engrossed and sent to the Senate.

H. B. 1057, A BILL TO BE ENTITLED AN ACT TO REGULATE FOLLOWING DISTANCES BETWEEN SCHOOL BUSES OUTSIDE AND WITHIN MUNICIPALITIES.

Representative Barker offers Amendment No. 1 which is adopted by electronic vote (78-27).

The bill fails to pass its third reading by electronic vote (44-62).

Committee Substitute for H. B. 230, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCOME TAX CREDIT FOR CERTAIN REAL PROPERTIES DONATED FOR CONSERVATION PURPOSES.

Representative Blue, offers Amendment No. 2 which is adopted by electronic vote (99-0).

The bill, as amended, passes its third reading, by electronic vote (99-0), and is ordered engrossed and sent to the Senate.

Committee Substitute for H. B. 60, A BILLTO BE ENTITLED AN ACT TO CLARIFY THE LAW CONCERNING UNDERINSURED MOTORIST COVERAGE, passes its second reading, by electronic vote (101-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 633, A BILL TO BE ENTITLED AN ACT TO EXTEND TO PERSONS IN THE MOTOR VEHICLE REINSURANCE FACILITY THE BENEFITS OF DOWNWARD RATE DEVIATIONS THAT ARE FILED BY THEIR CEDING INSURERS.

Representative Hightower calls the previous question, on the passage of the bill, and the call is sustained by electronic vote (100-2).

The bill passes its second reading by electronic vote (77-24).

Representative Seymour objects to the third reading. The bill remains on the Calendar.

Committee Substitute for H. B. 684, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE CRIME OF INVOLUNTARY SERVITUDE.

On motion of Representative Fulcher, consideration of the bill is postponed until June 7, 1983.

H. J. R. 1052, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF THOMAS JAMES BAKER, A FORMER MEMBER OF THE GENERAL ASSEMBLY, passes its second reading. by electronic vote (107-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

H. B. 1142, A BILL TO BE ENTITLED AN ACT TO EXTEND THE STUDY OF THE STATE'S INTERESTS IN RAILROAD PROPERTIES.

On motion of Representative Hunt, consideration of the bill is postponed until June 9, 1983.

H. B. 913, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHEN A DISTRICT COURT JUDGE TRANSFERS A JUNVENILE FELONY CASE TO

SUPERIOR COURT, THE SUPERIOR COURT HAS JURISDICTION OVER THAT FELONY, ANY RELATED OFFENSE, AND ANY GREATER OR LESSER INCLUDED OFFENSE OF THAT FELONY, passes its second reading, by electronic vote (96-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 698, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE PROHIBITION AGAINST DANGEROUS WEAPONS AT PARADES.

Representative Locks calls the previous question, on the passage of the bill, and the call is sustained by electronic vote (96-8).

The bill passes its second reading by electronic vote (60-44).

Representative Wright objects to the third reading. The bill remains on the Calendar.

House Committee Substitute No. 2 for S. B. 408, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW GOVERNING PLUMBING AND HEATING CONTRACTORS TO REDEFINE "HEATING, GROUP NUMBER THREE" AND "CONTRACTOR", passes its second reading, by electronic vote (101-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to Senate for concurrence in House committee substitute.

S. J. R. 332, A JOINT RESOLUTION DIRECTING THE NORTH CAROLINA COURTS COMMISSION TO STUDY THE PROBLEM OF THE NORTH CAROLINA COURT OF APPEALS' CASE OVERLOAD.

On motion of Representative Miller, consideration of the resolution is postponed until June 8, 1983.

S. J. R. 340, A JOINT RESOLUTION DIRECTING THE NORTH CAROLINA COURTS COMMISSION TO STUDY THE JUDICIAL DIVISIONS OF THE SUPERIOR COURT DIVISION OF THE GENERAL COURT OF JUSTICE.

On motion of Representative Miller, consideration of the resolution is postponed until June 8, 1983.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 198, AN ACT TO EXEMPT NONRESIDENT MILITARY DEPENDENTS FROM DRIVER'S LICENSE REQUIREMENTS.

H. B. 580, AN ACT TO AMEND THE CHARTER OF THE CITY OF CHARLOTTE TO PROVIDE FOR AN ALTERNATIVE EMINENT DOMAIN PROCEDURE.

H. B. 671, AN ACT TO ALLOW APPRENTICE AND REGISTERED COSMETOLOGISTS FROM OTHER STATES TO BE ADMITTED TO PRACTICE COSMETIC ART IN NORTH CAROLINA THROUGH RECIPROCITY.

H. B. 742, AN ACT RELATING TO THE ELECTION OF TRUSTEES OF SMITHVILLE TOWNSHIP'S J. ARTHUR DOSHER MEMORIAL HOSPITAL.

H. B. 848, AN ACT TO CONVERT TO FEE SIMPLE CERTAIN NINETY-NINE YEAR LEASES OF THE TOWN OF SMITHVILLE OR THE CITY OF SOUTHPORT.

H. B. 865, AN ACT TO AUTHORIZE COUNTIES TO REGULATE DEVELOPMENT IN ESTUARINE WATERS AND PUBLIC TRUST LANDS UNDER NAVIGABLE WATERS.

H. B. 979, AN ACT TO PROVIDE AUTHORIZATION FOR GENERAL PERMITS UNDER THE DREDGE AND FILL LAW AND CLARIFICATION OF GENERAL PERMITS UNDER THE COASTAL AREA MANAGEMENT ACT.

S. B. 177, AN ACT TO REQUIRE THAT DRIVER'S LICENSES AND SPECIAL IDENTIFICATION CARDS BE COLOR-CODED ACCORDING TO AGE.

S. B. 349, AN ACT TO AMEND THE ENABLING ACT OF THE GREENSBORO–HIGH POINT AIRPORT AUTHORITY.

S. B. 353, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE TOWN OF MURFREESBORO AND TO REPEAL PRIOR LOCAL ACTS.

S. B. 420, AN ACT TO REQUIRE NUMBERING OF ALL VESSELS.

S. B. 364, AN ACT TO INCLUDE TWO SATELLITE AREAS WITHIN THE CORPORATE LIMITS OF THE TOWN OF FOUR OAKS.

S. B. 432, AN ACT TO PROHIBIT BEAR HUNTING WITH DOGS IN PAMLICO COUNTY.

S. B. 39, AN ACT TO AMEND CHAPTER 39 TO FURTHER EQUALIZE BETWEEN MARRIED PERSONS THE RIGHT TO INCOME, POSSESSION AND CONTROL IN PROPERTY OWNED CONCURRENTLY IN TENANCY BY THE ENTIRETY.

S. B. 268, AN ACT TO AMEND CHAPTER 143 OF THE GENERAL STATUTES, ARTICLE 21, PART 8, SO AS TO MAKE FLOOD CONTROL PROJECTS AND ALL LOCAL WATER-BASED RECREATION PROJECTS ELIGIBLE FOR COST-SHARING.

S. B. 321, AN ACT TO MAKE APPROPRIATE PUNISHMENT CLASSIFICATIONS FOR CONSPIRACIES TO COMMIT FELONIES.

S. B. 474, AN ACT TO CHANGE THE COMPOSITION OF THE COMMITTEE ON EMPLOYEE HOSPITAL AND MEDICAL BENEFITS.

H. B. 1034, AN ACT TO CLARIFY THE PROCEDURES USED UNDER THE FAIR SENTENCING ACT WHEN SEVERAL CRIMES ARE CONSOLIDATED FOR JUDGMENT.

H. B. 651, AN ACT TO AMEND THE ADOPTION STATUTES AND RELATED LAWS.

H. J. R. 660, A JOINT RESOLUTION WITH RESPECT TO THE WORK OF THE COMMISSION ON THE FUTURE OF NORTH CAROLINA.

H. J. R. 1023, A JOINT RESOLUTION WELCOMING THE NATIONAL JUDICIAL COLLEGE TO NORTH CAROLINA AND EXPRESSING SUPPORT FOR THE ESTABLISHMENT OF A PERMANENT EASTERN LOCATION AT WAKE FOREST UNIVERSITY HONORING THE LATE DEAN WEATHERS.

On motion of Representative Hunt, seconded by Representative Barbee, the House adjourns in honor and memory of those who died on D-Day in 1946 in Normandy to reconvene June 7, 1983 at 1:30 p.m.

ONE HUNDRED FIFTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, June 7, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Lambeth.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of June 6 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Bowen, Brannan, Fenner, Holt, Huskins, Ligon, and Robinson for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative James for the Committee on Agriculture:

S. B. 494, A BILL TO BE ENTITLED AN ACT TO REQUIRE UNIFORM SCALE TICKETS FOR GRAIN, with a favorable report.

By Representative Thomas for the Committee on Higher Education:

S. B. 421, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE COMMUNITY COLLEGE LAWS, with a favorable report.

By Representative Foster for the Committee on Education:

H. B. 1176, A BILL TO BE ENTITLED AN ACT TO GIVE PUBLIC SCHOOLS FIRST PRIORITY IN BORROWING LIBRARY FILMS, with a favorable report.

S. B. 366, A BILL TO BE ENTITLED AN ACT TO RAISE THE MAXIMUM INTEREST RATE ON LOANS FROM THE STATE LITERARY FUND, with a favorable report.

S. B. 413, A BILL TO BE ENTITLED AN ACT TO DELETE THE REQUIREMENT THAT COUNTY SUPERINTENDENTS OF SCHOOLS BE APPROVED BY THE STATE BOARD OF EDUCATION AND THE SUPERINTENDENT OF PUBLIC INSTRUCTION, with a favorable report.

By Representative Wright for the Committee on Judiciary No. 2:

H. B. 1214, A BILL TO BE ENTITLED AN ACT TO ALLOW A WRITTEN WAIVER OF APPEARANCE BY DEFENDANTS CHARGED WITH HUNTING, FISHING, OR BOATING OFFENSES, with a favorable report.

By Representative Quinn for the Committee on Finance:

H. B. 202, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROVISIONS FOR CERTIFICATION OF LOCAL TAXING OFFICIALS AND TO PROVIDE A CONTINUING EDUCATION PROGRAM FOR ALL PERSONS ENGAGED IN THE APPRAISAL OF PROPERTY FOR TAXATION, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for June 9, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 203, A BILL TO BE ENTITLED AN ACT TO REVISE THE PROCEDURE FOR PROTEST AND APPEAL OF PROPERTY TAX LISTINGS AND ASSESSMENTS, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for June 9, 1983. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for H. B. 709, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE ALARM SYSTEMS LICENSING ACT, with a favorable report, as amended.

H. B. 955, A BILL TO BE ENTITLED AN ACT TO ALLOW TAXPAYERS TO ELECT TO APPLY ANY INCOME TAX REFUND OWED THEM TO THEIR ESTIMATED INCOME TAX LIABILITY FOR THE FOLLOWING YEAR, with a favorable report, as amended.

H. B. 1099, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCOME TAX CREDIT TO FARMERS WHO PERMIT THEIR CROPS TO BE GLEANED, with a favorable report, as amended.

Committee Substitute for S. B. 422, A BILL TO BE ENTITLED AN ACT CONCERNING FEES RELATING TO THE PRACTICE OF COSMETIC ART, with a favorable report, as amended.

S. B. 440, A BILLTO BE ENTITLED AN ACT TO ALLOW THE LINE FOR INCOME TAX CHECKOFF TO THE NORTH CAROLINA ELECTION CAMPAIGN FUND TO APPEAR ANYWHERE ON THE FRONT FACE OF THE RETURN, with a favorable report.

S. B. 441, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CEILING ON THE NORTH CAROLINA ELECTION CAMPAIGN FUND SO AS TO ALLOW ALL MONEY DESIGNATED BY TAXPAYERS TO BE USED, with a favorable report.

By Representative Pulley for the Committee on Judiciary No. 4:

H. B. 162, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 66, ARTICLE 19, BUSINESS OPPORTUNITY SALES, with an indefinite postponement report.

By Representative Helms for the Committee on Courts and Administration of Justice:

H. B. 911, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE APPLICABLE COURT SHALL MAKE THE DIVISION ON THE SETTLEMENT OR JUDGMENT COSTS AMONG JOINT TORTFEASORS IN ACTIONS BROUGHT UNDER THE WORKERS' COMPENSATION ACT WHEN THEY CANNOT AGREE AND PROVIDING FOR LIMITATIONS OF ITS APPLICABILITY, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for June 9, 1983. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Watkins and Adams:

H. B. 1224, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A REVIEW OF

THE STATE'S DISABILITY DETERMINATION SERVICES, is referred to the Committee on State Government.

By Representative Watkins:

H. B. 1225, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A VACATION AND TRAVEL GUIDE FOR DISABLED PERSONS, is referred to the Committee on Appropriations.

By Representative Wright:

H. B. 1226, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE TIME WHEN MUNICIPAL ORDINANCES ARE INTRODUCED, is referred to the Committee on Judiciary No. 2.

By Representative Wright:

H. B. 1227, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITY CLERKS TO ADMINISTER OATHS OF OFFICE, is referred to the Committee on Judiciary No. 2.

By Representative Wright:

H. B. 1228, A BILL TO BE ENTITLED AN ACT TO MAKE NOTICE PROVISIONS CONSISTENT IN ACTIONS FOR SUPPORT AND CUSTODY OF MINOR CHILDREN, is referred to the Committee on Judiciary No. 2.

By Representative Adams:

H. B. 1229, A BILL TO BE ENTITLED AN ACT TO EXEMPT MAKE-UP ARTISTS FROM THE DEFINITION OF COSMETOLOGIST, is referred to the Committee on State Government.

By Representatives Adams, Blue, Brannan, Cook, Fussell, Musselwhite, and Stamey:

H. B. 1230, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS TO WAKE COUNTY FOR A COMPREHENSIVE SCREENING PROGRAM FOR THE ELDERLY, is referred to the Committee on Appropriations.

By Representative Bumgardner:

H. B. 1231, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 136-44.20 TO PROVIDE FOR MATCHING FUNDS FOR INTER-CITY RAIL AND BUS PASSENGER SERVICE, is referred to the Committee on Transportation.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for H. B. 58, A BILL TO BE ENTITLED AN ACT TO AMEND THE GROUP HEALTH INSURANCE CONTINUATION AND CONVERSION PRIVILEGES LAW WITH REGARD TO CONVERSION POLICY RATE FILINGS, is returned for concurrence in Senate committee substitute and is referred to the Committee on Insurance.

Senate Committee Substitute for House Committee Substitute for H. B. 194, A BILL TO BE ENTITLED AN ACT TO AMEND THE POWER TO CONFER LAW ENFORCEMENT POWERS ON SPECIAL CONSERVATION OFFICERS, is returned for concurrence in Senate committee substitute and is referred to the Committee on Wildlife Resources.

Senate Committee Substitute for House Committee Substitute for H. B. 255, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 74C, THE PRIVATE PROTECTIVE SERVICES ACT, is returned for concurrence in Senate committee substitute and is referred to the Committee on State Government.

Committee Substitute for H. B. 663, A BILL TO BE ENTITLED AN ACT TO REVISE G. S. 47-30, is returned for concurrence in Senate amendment and is placed on the Calendar for June 8, 1983.

Committee Substitute for S. B. 280, A BILL TO BE ENTITLED AN ACT TO AMEND AND CLARIFY THE PROVISIONS OF LAW RELATIVE TO THE NORTH CAROLINA PUBLIC EMPLOYEE DEFERRED COMPENSATION PLAN, is read the first time and is referred to the Committee on State Personnel.

Committee Substitute for S. B. 475, A BILL TO BE ENTITLED AN ACT TO REGULATE THE INFORMATION THAT CONSTITUTES SATISFACTORY PROOF OF LOSS BECAUSE OF THE DEATH, is read the first time and is referred to the Committee on Insurance.

S. B. 511, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE REVIEW BY THE MARINE FISHERIES COMMISSION OF PROCLAMATIONS ISSUED BY THE SECRETARY OF THE NORTH CAROLINA DEPARTMENT OF NATURAL RESOURCES AND COMMUNITY DEVELOPMENT, is read the first time and is referred to the Committee on Natural and Economic Resources.

S. B. 525, A BILL TO BE ENTITLED AN ACT TO ALLOW AREAS CLOSED FOR REASONS OF POLLUTION BY THE DIVISION OF MARINE FISHERIES TO BE REOPENED MORE QUICKLY, is read the first time and is referred to the Committee on Natural and Economic Resources.

S. B. 307, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTE PROVIDING AN ANNUAL FEE FOR EMERGENCY PLANNING FOR EACH FIXED NUCLEAR FACILITY WITHIN THE STATE OF NORTH CAROLINA TO INCLUDE SUCH FEE FOR ANY FACILITY WITH A PLUME EXPOSURE PATHWAY EMERGENCY PLANNING ZONE WHICH EXTENDS INTO THIS STATE, is read the first time and is referred to the Committee on Public Utilities.

Committee Substitute for S. B. 323, A BILL TO BE ENTITLED AN ACT REGARDING THE METHOD OF EXECUTION IN THIS STATE, is read the first time and is referred to the Committee on Judiciary No. 4.

S. B. 472, A BILL TO BE ENTITLED AN ACT TO EXTEND THIRTY-YEAR UNREDUCED RETIREMENT BENEFITS TO TEACHERS AND STATE EMPLOYEES WHO RETIRED PRIOR TO JULY 1, 1973, AND WHO CONTRIBUTED TO THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM FOR THIRTY OR MORE YEARS, is read the first time and is referred to the Committee on Pensions and Retirement.

CALENDAR

Action is taken on the following:

H. B. 700, A BILL TO BE ENTITLED AN ACT TO ALLOW THE STATE TO TAKE A VOLUNTARY DISMISSAL WITH LEAVE WHEN A DEFENDANT IS FOUND INCAPABLE OF PROCEEDING.

On motion of Representative Wright, the House concurs in the Senate amendment and the bill is ordered enrolled.

Committee Substitute for H. B. 886, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REASONABLE BEACH ACCESS WITHIN THE TOWN OF EMERALD ISLE, passes its second reading by electronic vote (99-5).

Representative Adams objects to the third reading. The bill remains on the Calendar.

S. B. 74, A BILL TO BE ENTITLED AN ACT TO AMEND THE REQUIREMENTS FOR RECEIPT OF SERVICE AND DISABILITY RETIREMENT BENEFITS FROM THE DURHAM FIREMEN'S SUPPLEMENTAL RETIREMENT SYSTEM, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for S. B. 140, A BILL TO BE ENTITLED AN ACT TO INCREASE THE AMOUNT THAT CAN BE RECEIVED IN BENEFITS FROM THE LEXINGTON FIREMEN'S SUPPLEMENTAL RETIREMENT FUND, passes its second reading, and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 160, A BILL TO BE ENTITLED AN ACT TO AMEND THE WINSTON-SALEM FIREMEN'S RETIREMENT FUND ASSOCIATION, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 248, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 899 OF THE SESSION LAWS OF 1953 RELATING TO INVESTMENTS AND MONTHLY BENEFITS UNDER THE GREENSBORO FIREMEN'S SUPPLEMENTAL RETIREMENT SYSTEM, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for H. B. 502, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 105-275 CONCERNING EXCLUSIONS FROM THE PROPERTY TAX BASE FOR POLLUTION CONTROL PURPOSES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Ballance, Barbee, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Brennan, Brubaker, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, James, Jarrell, Jones, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Murphy, Musselwhite, Nash, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 101.

Voting in the negative: Representatives Barker and Brown — 2.

Excused absences: Representatives Bowen, Brannan, Brawley, Fenner, Huskins, Ligon, Miller, and Robinson — 8.

Committee Substitute for H. B. 633, A BILL TO BE ENTITLED AN ACT TO EXTEND TO PERSONS IN THE MOTOR VEHICLE REINSURANCE FACILITY THE BENEFITS OF DOWNWARD RATE DEVIATIONS THAT ARE FILED BY THEIR CEDING INSURERS.

Representative Hightower calls the previous question on the passage of the bill and the call is sustained by electronic vote (95-9).

The bill passes its third reading, by electronic vote (81-24), and is ordered sent to the Senate.

H. B. 698, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE PROHIBITION AGAINST DANGEROUS WEAPONS AT PARADES.

Representative Lancaster offers Amendment No. 1 which is adopted by electronic vote (104-4).

Representative Locks calls the previous question on the passage of the bill and the call is sustained by electronic vote (105-2).

The bill, as amended, passes its third reading, by electronic vote (91-16), and is ordered engrossed and sent to the Senate.

SUSPENSION OF RULES TO INTRODUCE LOCAL BILL

On motion of Representative Lee, Rule 31.1 is suspended by a two-thirds majority vote in order for a local bill to be filed.

CALENDAR (continued)

Committee Substitute for H. B. 684, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE CRIME OF INVOLUNTARY SERVITUDE.

Representative Wright offers Amendment No. 1.

On motion of Representative Hackney, seconded by Representative Blue, Amendment No. 1 is tabled by electronic vote (54-50).

Representative Wright offers Amendment No. 2.

On motion of Representative Blue, seconded by Representative Bruce Ethridge, Amendment No. 2 is tabled by electronic vote (52-50).

Representative Miller calls the previous question on the passage of the bill and the call is sustained by electronic vote (83-18).

The bill passes its second reading by electronic vote (81-22).

Representative James objects to the third reading. The bill remains on the Calendar.

Committee Substitute for H. B. 107, A BILL TO BE ENTITLED AN ACT REGARDING VISITATION RIGHTS OF NONPARENTS TO MINOR CHILDREN, passes its second reading, by electronic vote (97-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 767, A BILL TO BE ENTITLED AN ACT TO

AMEND G. S. 90-108 TO PROHIBIT EMBEZZLEMENT OF CONTROLLED SUBSTANCES BY EMPLOYEES OF PRACTITIONERS AND REGISTRANTS, AND TO PROHIBIT "DOCTOR SHOPPING" AS A MEANS OF FRAUDULENTLY OBTAINING CONTROLLED SUBSTANCES FROM PRACTITIONERS, passes its second reading, by electronic vote (83-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 456, A BILL TO BE ENTITLED AN ACT TO REINSTATE PORTIONS OF THE PREVIOUS PROVISIONS OF LAW REGARDING THE TREATMENT OF REEMPLOYED RETIREES IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM AND THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, passes its second reading, by electronic vote (89-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

House Committee Substitute for Senate Committee Substitute for S. B. 229, A BILL TO BE ENTITLED AN ACT REQUIRING A COST STATEMENT TO APPEAR ON STATE PUBLICATIONS, passes its second reading by electronic vote (96-1).

Representative Lancaster offers Amendment No. 1 which is adopted by electronic vote (102-1).

On motion of Representative Diamont, the bill is ordered engrossed and re-referred to the Committee on Appropriations by electronic vote (87-15).

Representative Barbee presiding.

S. B. 443, A BILL TO BE ENTITLED AN ACT TO EXTEND FOR TWO YEARS THE TIME FOR COMPLIANCE BY INSURERS WITH THE LAW REGARDING THE AMOUNT OF CAPITAL AND/OR SURPLUS REQUIRED FOR THE FORMATION AND ORGANIZATION OF COMPANIES, passes its second reading, by electronic vote (96-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 434, A BILL TO BE ENTITLED AN ACT REGARDING CONFIDENTIAL COMMUNICATIONS BETWEEN PHYSICIAN AND PATIENT, passes its second reading, by electronic vote (90-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 235, A BILL TO BE ENTITLED AN ACT TO REINSTATE THE FELONY CHARGE AND PUNISHMENT FOR SECOND ESCAPES AND TO CLARIFY A YOUTHFUL OFFENDER ESCAPE PROVISION, passes its second reading, by electronic vote (97-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for S. B. 318, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PUNISHMENT FOR CHILD ABUSE SO IT MORE ACCURATELY REFLECTS THE SERIOUSNESS OF THE CRIME.

Representative Hackney offers Amendment No. 1 which is adopted. This amendment changes the title.

The bill, as amended, passes its second reading, by electronic vote (100-1), and remains on the Calendar.

S. B. 277, A BILL TO BE ENTITLED AN ACT TO CHANGE THE WAITING PERIOD FOR RETIREMENT REFUNDS IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND UNIFORM JUDICIAL RETIREMENT SYSTEM, passes its second reading, by electronic vote (101-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 293, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS GOVERNING THE LAW ENFORCEMENT OFFICERS' BENEFIT AND RETIREMENT FUND SO AS TO RECEIVE A FAVORABLE DETERMINATION AS A QUALIFIED TRUST BY THE INTERNAL REVENUE SERVICE AND TO THEN CAUSE A TAX SHELTERING FROM CURRENT INCOME OF MEMBERS' CONTRIBUTIONS, passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for S. B. 294, A BILL TO BE ENTITLED AN ACT TO TAX SHELTER FROM CURRENT INCOME THE CONTRIBUTIONS OF MEMBERS PAID TO THE UNIFORM JUDICIAL, SOLICITORIAL AND CLERKS OF SUPERIOR COURT RETIREMENT SYSTEMS BY CONFORMING STATE LAW TO THE REQUIREMENTS OF SECTION 414(h) OF THE UNITED STATES INTERNAL REVENUE CODE.

Representative Musselwhite requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill passes its second reading, by electronic vote (96-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 817, A BILL TO BE ENTITLED AN ACT REGARDING ESCAPES FROM LOCAL CONFINEMENT FACILITIES.

H. B. 850, A BILL TO BE ENTITLED AN ACT TO ALLOW SALE OF HISTORIC PROPERTIES BY CITIES AND COUNTIES.

H. B. 893, A BILL TO BE ENTITLED AN ACT AMENDING THE ELIGIBILITY REQUIREMENTS FOR ABC STORE AND MIXED BEVERAGE ELECTIONS AND THE AUTHORIZATION OF SPECIAL OCCASION AND LIMITED SPECIAL OCCASION PERMITS.

S. B. 386, A BILL TO BE ENTITLED AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM.

S. B. 285, A BILL TO BE ENTITLED AN ACT RELATING TO REMOVAL OF UNAUTHORIZED VEHICLES FROM PRIVATE LOTS IN FORSYTH COUNTY.

H. J. R. 1052, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF THOMAS JAMES BAKER, A FORMER MEMBER OF THE GENERAL ASSEMBLY.

On motion of Representative Hunt, seconded by Representative Clark, the House adjourns to reconvene June 8, 1983 at 1:30 p.m.

ONE HUNDRED SIXTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, June 8, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Locks.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of June 7 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Black, Bumgardner, Huskins, Lambeth, and Ligon for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Economos for the Committee on Aging:

H. B. 1028, A BILL TO BE ENTITLED AN ACT TO ALLOW PRIVATE PEER REVIEW IN DOMICILIARY HOMES, with a favorable report, as amended.

By Representative Chapin for the Committee on Commercial Fishing:

S. B. 356, A BILL TO BE ENTITLED AN ACT TO REVISE THE LEASE FEES PERTAINING TO SHELLFISH LEASES, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

By Representative Mavretic for the Committee on Pensions and Retirement:

H. B. 347, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 669 OF THE SESSION LAWS OF 1943, AS AMENDED, TO GIVE THE BOARD OF COMMISSIONERS OF THE COUNTY OF NEW HANOVER THE AUTHORITY TO TERMINATE THE RETIREMENT SYSTEM OF NEW HANOVER COUNTY, NORTH CAROLINA, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for June 10, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Jordan for the Committee on State Personnel:

S. B. 289, A BILL TO BE ENTITLED AN ACT DESIGNATING THE OFFICE OF STATE PERSONNEL AND THE STATE PERSONNEL COMMISSION AS THE DEFERRAL AGENCY FOR EEOC COMPLAINTS, with a favorable report.

By Representative Colton for the Committee on Cultural Resources:

H. B. 305, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR MEETINGS OF THE EXECUTIVE MANSION FINE ARTS COMMITTEE, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for June 10, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Seymour for the Committee on Public Utilities:

H. B. 951, A BILL TO BE ENTITLED AN ACT TO AMEND AND REORGANIZE CHAPTER 159B OF THE GENERAL STATUTES AND TO CREATE A NEW ARTICLE TO PROVIDE FOR JOINT MUNICIPAL ASSISTANCE AGENCIES AND TO MAKE TECHNICAL AMENDMENTS TO G. S. 128-1 AND ARTICLE 3 OF CHAPTER 159 OF THE GENERAL STATUTES, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for June 10, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Hightower for the Committee on Insurance:

H. B. 56, A BILL TO BE ENTITLED AN ACT TO AMEND THE SAFE DRIVER INSURANCE PLAN PROVISIONS ON THE PROPERTY DAMAGE MONETARY THRESHOLD FOR CHARGEABLE ACCIDENTS, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for June 10, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 632, A BILL TO BE ENTITLED AN ACT TO REVISE THE SAFE DRIVER INSURANCE PLAN TO ELIMINATE SURCHARGES FOR PROPERTY DAMAGE THAT DOES NOT EXCEED TWO HUNDRED DOLLARS, with an unfavorable report as to bill, favorable as to commitee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for June 10, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 677, A BILLTO BE ENTITLED AN ACT TO PROHIBIT SAFE DRIVER INSURANCE PLAN SURCHARGES FOR CONVICTIONS OR PRAYERS FOR JUDGMENT CONTINUED FOR CERTAIN MOVING TRAFFIC VIOLATIONS, with an unfavorable report.

S. B. 479, A BILL TO BE ENTITLED AN ACT TO CLARIFY A PROVISION IN THE GROUP HEALTH INSURANCE CONTINUATION AND CONVERSION PRIVILEGES LAW, with an unfavorable report as to bill, favorable as to House committee substitute bill.

The House committee substitute bill is placed on the Calendar for June 10, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Church for the Committee on State Government:

H. B. 110, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE COMMITTEE ON AGENCY REVIEW TO STUDY THE NEED FOR NEW LICENSING LAWS AND PROGRAMS ACCORDING TO CRITERIA AND PROCEDURES SPECIFIED HEREIN, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for June 10, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Foster for the Committee on Education:

Senate Committee Substitute Joint Resolution No. 2 for H. B. 334, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM PROVIDING FOR PUBLIC SCHOOL TEACHERS AND COLLEGE EDUCATION TEACHERS TO EXCHANGE DUTIES, with recommendation that the House concur.

By Representative McDowell, for the Committee on Corrections:

H. B. 839, A BILL TO BE ENTITLED AN ACT TO PROMOTE FAIRER PAROLE PROCEDURES FOR PRE-FAIR SENTENCING ACT PRISONERS, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for June 10, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 356, A BILL TO BE ENTITLED AN ACT TO DELAY THE EFFECTIVE DATE FOR THE REMOVAL OF JUVENILES FROM JAILS, with a favorable report.

By Representative Lutz for the Committee on Local Government No. 2:

H. B. 602, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR NONPARTISAN ELECTIONS FOR THE NEW HANOVER COUNTY BOARD OF EDUCATION, with an unfavorable report as to bill, favorable as to committee substitute joint resolution, which changes the title.

The substitute joint resolution is placed on the Calendar for June 10, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 802, A BILL TO BE ENTITLED AN ACT TO PROVIDE A MANNER OF ELECTION AND THE FILLING OF VACANCIES OF THE HIGH POINT CITY BOARD OF EDUCATION, with an indefinite postponement report.

S. B. 385, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF MARVIN IN UNION COUNTY, with a favorable report.

By Representative Lilley for the Committee on Local Government No. 1:

H. B. 1132, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF TRYON AND TO REINCORPORATE THE TOWN OF LYNN, with a favorable report, as amended.

H. B. 1165, A BILL TO BE ENTITLED AN ACT TO EMPOWER CATAWBA MEMORIAL HOSPITAL TO USE ATTACHMENT AND GARNISHMENT PROCEDURES FOR COLLECTING UNPAID BILLS, with a favorable report.

By Representative Fussell for the Committee on Highway Safety:

H. B. 1043, A BILL TO BE ENTITLED AN ACT TO REQUIRE DRIVERS TO YIELD THE RIGHT-OF-WAY TO VEHICLES GIVING A WARNING SIGNAL BY EITHER LIGHTS OR SIRENS, with a favorable report, as amended.

By Representative Helms for the Committee on Courts and Administration of Justice:

H. B. 944, A BILL TO BE ENTITLED AN ACT TO PREVENT HARRASSMENT OF JURORS OR FORMER JURORS, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for June 10, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 1202, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE FILING OF A NOTICE OF APPEAL WITHIN THIRTY DAYS IN ALL APPEALS TAKEN FROM DECISIONS OR ORDERS OF THE PROPERTY TAX COMMISSION, with a favorable report, as amended.

S. B. 91, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ALL OCCUPATIONAL LICENSING BOARDS MAY RECEIVE THE INTEREST ON FUNDS DEPOSITED BY THEM WITH THE STATE TREASURER FOR INVESTMENT, with a favorble report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Rabon, Payne, and Rhodes:

H. B. 1232, A BILL TO BE ENTITLED AN ACT TO ALLOW IMMEDIATE UNEMPLOYMENT BENEFITS IN THE EVENT OF A PERMANENT FACILITY CLOSURE OR RELOCATION, is referred to the Committee on Employment Security.

By Representatives Rabon and C. Hughes:

H. B. 1233, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MEDICAID PHARMACY DISPENSING FEE, is referred to the Committee on Appropriations.

By Representatives Holt, Brennan, Easterling, and Foster:

H. B. 1234, A BILL TO BE ENTITLED AN ACT TO ALLOCATE FUNDS FOR ARTS EDUCATION TEACHERS, is referred to the Committee on Appropriations.

By Representatives Berry, Ballance, Hauser, Kennedy, and Locks:

H. B. 1235, A BILL TO BE ENTITLED AN ACT TO PERMIT STUDENTS WHO BECOME SCIENCE OR MATHEMATICS TEACHERS TO PAY FOR THEIR COLLEGE EDUCATION THROUGH TEACHING SCIENCE OR MATHEMATICS IN THE PUBLIC SCHOOLS, is referred to the Committee on Education.

By Representatives Helms, Black, Berry, Brennan, Easterling, Economos, and Foster:

H. B. 1236, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL CONSTRUCTION AND RENOVATION AT THE MINT MUSEUM IN CHARLOTTE, is referred to the Committee on Appropriations.

By Representative Helms:

H. B. 1237, A BILL TO BE ENTITLED AN ACT TO RESTORE THE 1975 LAW ON TERMINATION OF EMPLOYMENT OF A COUNTY SUPERVISOR OF ELECTIONS, is referred to the Committee on Election Laws.

By Representatives Musselwhite and C. Hughes:

H. B. 1238, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY OF CITIES TO SELL PROPERTY, is referred to the Committee on Judiciary No. 1.

By Representative Musselwhite:

H. B. 1239, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DISPOSAL OF PERSONAL PROPERTY IN CONDEMNED BUILDINGS TO BE DEMOLISHED, is referred to the Committe on Judiciary No. 1.

SUSPENSION OF RULES TO INTRODUCE LOCAL BILL

On motion of Representative Robinson, Rule 31.1 is suspended by a two-thirds majority vote in order for a local bill to be filed.

ELECTION OF MEMBERS TO THE
STATE BOARD OF COMMUNITY COLLEGES

In accordance with G. S. 115D-2.1 and H. J. R. 1157, Representative Thomas, Chairman of the Committee on Higher Education, presents the following nominees to the State Board of Community Colleges:

Six-year term:
Robert Z. Hawkins
T. Jerry Williams

Four-year term:
William S. Murdoch
J. Samuel Roebuck

Other Nominees:
Frances Rhyne Daily

Following the election of the candidates by secret ballot, Representative Thomas announces the following results:

Robert Z. Hawkins elected for six-year term

William S. Murdoch elected for four-year term.

On motion of Representative Thomas, the election of Mr. Robert Z. Hawkins to a six-year term on the State Board of Community Colleges beginning July 1, 1983 is confirmed by electronic vote (98-0).

On motion of Representative Thomas, the election of Mr. William S. Murdoch to a four-year term on the State Board of Community Colleges beginning July 1, 1983 is confirmed by electronic vote (96-0).

The Senate is notified of this action by Special Message.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 8, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the Senate has elected Mr. Lynn Kelso to the Board of Community Colleges, the term which begins July 1, 1983, and expires June 30, 1989.

Respectfully
S/ SYLVIA M. FINK
Principal Clerk

CALENDAR

Action is taken on the following:

Committee Substitute for H. B. 663, A BILL TO BE ENTITLED AN ACT TO REVISE G. S. 47-30.

On motion of Representative Wright, the House concurs in the Senate amendment and the bill is ordered enrolled.

Committee Substitute for H. B. 886, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REASONABLE BEACH ACCESS WITHIN THE TOWN OF EMERALD ISLE, passes its third reading and is ordered sent to the Senate.

H. B. 709, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE ALARM SYSTEMS LICENSING ACT.

On motion of Representative Church, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barker, Barnes. Beall, Beam, Beard, Berry, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Holmes, Holt, Hudson, C. Hughes, Hunt, James, Jarrell, Jeralds, Jones, Keesee, Kennedy, Lacey, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Owens, Payne, Pool, Poovey, Pulley, Rabon, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, and Wright — 103.

Voting in the negative: Representatives J. Hughes, Nesbitt, and Redding — 3.

Excused absences: Representatives Black, Bumgardner, Huskins, Lambeth, and Ligon — 5.

Committee Substitute for S. B. 422, A BILL TO BE ENTITLED AN ACT CONCERNING FEES RELATING TO THE PRACTICE OF COSMETIC ART.

On motion of Representative Musselwhite, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Brannan, Brawley, Brennan, Brown, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, James, Jarrell, Jeralds, Jones, Keesee, Kennedy, Lacey, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Miller, Murphy, Musselwhite, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Rabon, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 99.

Voting in the negative: Representatives Brubaker, J. Hughes, and Redding — 3.

Excused absences: Representatives Black, Bumgardner, Huskins, Lambeth, and Ligon — 5.

Committee Substitute for H. B. 684, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE CRIME OF INVOLUNTARY SERVITUDE.

Representative Lee offers Amendment No. 3 which fails of adoption by electronic vote (51-56).

Representative Ballance offers Amendment No. 4 which is adopted by electronic vote (85-25).

Representative Wright offers Amendment No. 5.

Representative Wright calls the previous question on Amendment No. 5 and the call is sustained by electronic vote (111-0).

Amendment No. 5 is adopted by electronic vote (104-8).

Representative Brown offers Amendment No. 6.

On motion of Representative Miller, seconded by Representative Pulley, Amendment No. 6 is tabled by electronic vote (66-35).

Representative Fulcher calls the previous question on the passage of the bill and the call is sustained by electronic vote (104-6).

The bill, as amended, passes its third reading, by electronic vote (105-7), and is ordered engrossed and sent to the Senate.

Committee Substitute for S. B. 318, A BILL TO BE ENTITLED AN ACT TO CHANGE THE PUNISHMENT FOR CERTAIN FELONIES.

The bill, as amended, passes its third reading, by electronic vote (98-1), and is ordered sent to the Senate for concurrence in House amendment.

Representative Hunt presiding.

H. B. 1176, A BILL TO BE ENTITLED AN ACT TO GIVE PUBLIC SCHOOLS FIRST PRIORITY IN BORROWING LIBRARY FILMS.

Representative Adams offers Amendment No. 1 which is adopted. This amendment changes the title.

The bill, as amended, passes its second reading, by electronic vote (89-1), and remains on the Calendar.

H. B. 1214, A BILL TO BE ENTITLED AN ACT TO ALLOW A WRITTEN WAIVER OF APPEARANCE BY DEFENDANTS CHARGED WITH HUNTING, FISHING, OR BOATING OFFENSES, passes its second reading, by electronic vote (86-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 955, A BILL TO BE ENTITLED AN ACT TO ALLOW TAXPAYERS TO ELECT TO APPLY ANY INCOME TAX REFUND OWED THEM TO THEIR ESTIMATED INCOME TAX LIABILITY FOR THE FOLLOWING YEAR.

On motion of Representative Colton, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (91-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 1099, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCOME TAX CREDIT TO FARMERS WHO PERMIT THEIR CROPS TO BE GLEANED.

On motion of Representative Seymour, Committee Amendment No. 1 is adopted.

The Speaker rules the bill to be a roll call bill.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Auman, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Brawley, Brown, Brubaker, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Foster, Fussell, Gentry, Gillam, Gist, Grimsley, Hackney, Hauser, Hayden, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, James, Jarrell, Jeralds, Jones, Keesee, Kennedy, Lambeth, Lancaster, Lee, Lilley, Lutz, Matthews, Mauney, Mavretic, Miller, Murphy, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Robinson, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 93.

Voting in the negative: Representatives Anderson and McAlister — 2.

Excused absences: Representatives Black, Huskins, and Ligon — 3.

S. J. R. 332, A JOINT RESOLUTION DIRECTING THE NORTH CAROLINA COURTS COMMISSION TO STUDY THE PROBLEM OF THE NORTH CAROLINA COURT OF APPEALS' CASE OVERLOAD.

On motion of Representative Adams, the bill is re-referred to the Committee on Appropriations.

S. J. R. 340, A JOINT RESOLUTION DIRECTING THE NORTH CAROLINA COURTS COMMISSION TO STUDY THE JUDICIAL DIVISIONS OF THE SUPERIOR COURT DIVISION OF THE GENERAL COURT OF JUSTICE.

On motion of Representative Adams, the bill is re-referred to the Committee on Appropriations.

S. B. 494, A BILL TO BE ENTITLED AN ACT TO REQUIRE UNIFORM SCALE TICKETS FOR GRAIN, passes its second reading, by electronic vote (81-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 421, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CHANGES TO THE COMMUNITY COLLEGE LAWS, passes its second reading, by electronic vote (81-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 366, A BILL TO BE ENTITLED AN ACT TO RAISE THE MAXIMUM INTEREST RATE ON LOANS FROM THE STATE LITERARY FUND, passes its second reading, by electronic vote (84-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 413, A BILL TO BE ENTITLED AN ACT TO DELETE THE REQUIREMENT THAT COUNTY SUPERINTENDENTS OF SCHOOLS BE APPROVED BY THE STATE BOARD OF EDUCATION AND THE SUPERINTENDENT OF PUBLIC INSTRUCTION, passes its second reading, by electronic vote (85-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 440, A BILL TO BE ENTITLED AN ACT TO ALLOW THE LINE FOR INCOME TAX CHECKOFF TO THE NORTH CAROLINA ELECTION CAMPAIGN FUND TO APPEAR ANYWHERE ON THE FRONT FACE OF THE RETURN, passes its second reading, by electronic vote (85-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 441, A BILL TO BE ENTITLED AN ACT TO REMOVE THE CEILING ON THE NORTH CAROLINA ELECTION CAMPAIGN FUND SO AS TO ALLOW ALL MONEY DESIGNATED BY TAXPAYERS TO BE USED, passes its second reading, by electronic vote (81-6), and there being no objection is read a third time.

The bill passes its third reding and is ordered enrolled.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 700, AN ACT TO ALLOW THE STATE TO TAKE A VOLUNTARY DISMISSAL WITH LEAVE WHEN A DEFENDANT IS FOUND INCAPABLE OF PROCEEDING.

H. B. 702, AN ACT TO AMEND THE NORTH CAROLINA GENERAL STATUTES CREATING THE NORTH CAROLINA HUMAN RELATIONS COUNCIL.

S. B. 140, AN ACT TO INCREASE THE AMOUNT THAT CAN BE RECEIVED IN BENEFITS FROM THE LEXINGTON FIREMEN'S SUPPLEMENTAL RETIREMENT FUND.

S. B. 74, AN ACT TO AMEND THE REQUIREMENTS FOR RECEIPT OF SERVICE AND DISABILITY RETIREMENT BENEFITS FROM THE DURHAM FIREMEN'S SUPPLEMENTAL RETIREMENT SYSTEM.

S. B. 160, AN ACT TO AMEND THE WINSTON-SALEM FIREMEN'S RETIREMENT FUND ASSOCIATION.

S. B. 235, AN ACT TO REINSTATE THE FELONY CHARGE AND PUNISHMENT FOR SECOND ESCAPES AND TO CLARIFY A YOUTHFUL OFFENDER ESCAPE PROVISION.

S. B. 248, AN ACT TO AMEND CHAPTER 899 OF THE SESSION LAWS OF 1953 RELATING TO THE INVESTMENTS AND MONTHLY BENEFITS UNDER THE GREENSBORO FIREMEN'S SUPPLEMENTAL RETIREMENT SYSTEM.

S. B. 277, AN ACT TO CHANGE THE WAITING PERIOD FOR RETIREMENT REFUNDS IN THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT

SYSTEM, TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND UNIFORM JUDICIAL RETIREMENT SYSTEM.

S. B. 293, AN ACT TO AMEND THE LAWS GOVERNING THE LAW ENFORCEMENT OFFICERS' BENEFIT AND RETIREMENT FUND SO AS TO RECEIVE A FAVORABLE DETERMINATION AS A QUALIFIED TRUST BY THE INTERNAL REVENUE SERVICE AND TO THEN CAUSE A TAX SHELTERING FROM CURRENT INCOME OF MEMBERS' CONTRIBUTIONS.

S. B. 294, AN ACT TO TAX SHELTER FROM CURRENT INCOME THE CONTRIBUTIONS OF MEMBERS PAID TO THE UNIFORM JUDICIAL, SOLICITORIAL AND CLERKS OF SUPERIOR COURT RETIREMENT SYSTEMS BY CONFORMING STATE LAW TO THE REQUIREMENTS OF SECTION 414(h) OF THE UNITED STATES INTERNAL REVENUE CODE.

S. B. 403, AN ACT TO REWRITE ARTICLE 15 OF CHAPTER 54 OF THE GENERAL STATUTES PERTAINING TO CORPORATE CREDIT UNIONS.

S. B. 434, AN ACT REGARDING CONFIDENTIAL COMMUNICATIONS BETWEEN PHYSICIAN AND PATIENT.

S. B. 443, AN ACT TO EXTEND FOR TWO YEARS THE TIME FOR COMPLIANCE BY INSURERS WITH THE LAW REGARDING THE AMOUNT OF CAPITAL AND/OR SURPLUS REQUIRED FOR THE FORMATION AND ORGANIZATION OF COMPANIES.

On motion of Representative Hunt, seconded by Representative Gist, the House adjourns to reconvene June 9, 1983 at 1:30 p.m.

ONE HUNDRED SEVENTH DAY

HOUSE OF REPRESENTATIVES
Thursday, June 9, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Berry.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of June 8 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Brawley, Ligon, and Murphy for today.

SUSPENSION OF RULES TO INTRODUCE LOCAL BILL

On motion of Representative Womble, Rule 31.1 is suspended by a two-thirds majority vote in order for a local bill to be filed.

On motion of Representative Gillam, Rule 31.1 is suspended by a two-thirds majority vote in order for a local bill to be filed.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Quinn for the Committee on Finance:

Committee Substitute for H. B. 278, A BILL TO BE ENTITLED AN ACT TO REPEAL THE PARTIAL INCOME TAX EXCLUSION FOR INTEREST EARNED ON DEPOSITS IN NORTH CAROLINA INSTITUTIONS, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

On motion of Representative Quinn, the rules are suspended and the substitute bill is placed on the Calendar for June 10, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Bruce Ethridge for the Committee on Natural and Economic Resources:

S. B. 266, A BILL TO E ENTITLED AN ACT TO CLARIFY AND SIMPLIFY THE COASTAL AREA MANAGEMENT ACT, with a favorable report.

By Representative Pulley for the Committee on Judiciary No. 4:

H. B. 879, A BILL TO BE ENTITLED AN ACT ESTABLISHING MANDATORY MEDIATION OF CHILD CUSTODY AND VISITATION DISPUTES, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for June 13, 1983. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for S. B. 89, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 50 OF THE GENERAL STATUTES TO ESTABLISH PROCEDURES TO INSURE PAYMENT OF CHILD SUPPORT, with an unfavorable report as to Senate committee substitute bill, favorable as to House committee substitute bill.

The House committee substitute bill is placed on the Calendar for June 13, 1983. The Senate committee substitute bill is placed on the Unfavorable Calendar.

S. B. 90, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 15A OF THE GENERAL STATUTES TO ESTABLISH PROCEDURES TO INSURE PAYMENT OF CHILD SUPPORT, with a favorable report, as amended.

By Representative Bumgardner for the Committee on Transportation:

H. B. 1118, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 20 TO MAKE ODOMETER FRAUD A FELONY, with a favorable report, as amended.

H. B. 1203, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE FEE FOR SPECIAL CIVIL AIR PATROL PLATES, with an indefinite postponement report.

H. B. 1231, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 136-44.20 TO PROVIDE FOR MATCHING FUNDS FOR INTER-CITY RAIL AND BUS PASSENGER SERVICE, with a favorable report, and placed on the Calendar for June 13, 1983.

By Representative Brannan for the Committee on Housing:

H. B. 658, A BILL TO BE ENTITLED AN ACT TO PROTECT RENTERES OF APARTMENT BUILDINGS BEING CONVERTED TO CONDOMINIUMS, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for June 13, 1983. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for S. B. 279, A BILL TO BE ENTITLED AN ACT TO PROHIBIT DISCRIMINATION IN HOUSING, with a favorable report.

By Representative Lambeth for the Committee on Wildlife Resources:

Senate Committee Substitute for H. B. 194, A BILL TO BE ENTITLED AN ACT TO AMEND THE POWER TO CONFER LAW ENFORCEMENT POWERS ON SPECIAL CONSERVATION OFFICERS, with recommendation that the House concur.

On motion of Representative Lambeth, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Lambeth, the House concurs in the Senate committee substitute, and the bill is ordered enrolled.

H. B. 1198, A BILL TO BE ENTITLED AN ACT TO REGULATE THE TAKING OF EXOTIC SPECIES OF WILD ANIMALS AND BIRDS OR SPECIES NOT INDIGENOUS TO THE AREA, with a favorable report.

H. B. 1213, A BILL TO BE ENTITLED AN ACT TO PREVENT THE USE OF ARTIFICIAL LIGHTS IN TAKING DEPREDATING DEER, with a favorable report.

By Representative Hightower for the Committee on Insurance:

H. B. 924, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 58-79(a)(12) REGARDING LIFE INSURANCE COMPANY INVESTMENTS IN COMPUTER SYSTEMS, with a favorable report.

H. B. 1009, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 58-79(a) PERTAINING TO LIFE INSURANCE COMPANY INVESTMENTS IN FUTURES CONTRACTS, with a favorable report.

By Representative Helms for the Committee on Courts and Administration of Justice:

H. B. 491, A BILL TO BE ENTITLED AN ACT TO CLASSIFY MINOR TRAFFIC OFFENSES AS INFRACTIONS AND TO PROVIDE A PROCEDURE FOR THE DISPOSITION OF SUCH INFRACTIONS BY THE COURTS, with an unfavorable report as to bill, favorable as to committee substitute bill, and recommendation that the substitute bill be re-referred to the Committee on Appropriations.

The substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Foster for the Committee on Education:

H. B. 1114, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 12, G. S. 115C-189 TO ALLOW THE STATE BOARD OF EDUCATION TO SELECT THE TYPE OF ANNUAL TEST TO BE USED IN THE FIRST, SECOND, THIRD, SIXTH AND NINTH GRADES, with a favorable report.

By Representative Hunt for the Committee on Rules and Operation of the House:

H. J. R. 762, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF EVERETT CASE AND THE WINNING TRADITION OF COLLEGE BASKETBALL IN THE STATE OF NORTH CAROLINA HE FOSTERED, CULMINATING

IN BACK TO BACK N.C.A.A. BASKETBALL CHAMPIONSHIPS BY THE UNIVERSITY OF NORTH CAROLINA TARHEELS AND THE NORTH CAROLINA STATE UNIVERSITY WOLFPACK, with an indefinite postponement report.

H. B. 1050, A BILL TO BE ENTITLED AN ACT CREATING A COMMITTEE FOR A COMPREHENSIVE STUDY OF THE PROPERTY TAX SYSTEM IN NORTH CAROLINA, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for June 13, 1983. The original bill is placed on the Unfavorable Calendar.

H. R. 1171, A HOUSE RESOLUTION AMENDING THE PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES TO PROVIDE THAT NO BILL SHALL BE SENT FROM THE HOUSE ON THE DAY OF ITS PASSAGE EXCEPT ON THE LAST DAY OF THE SESSION, with recommendation that it be adopted.

H. J. R. 1180, A JOINT RESOLUTION TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY NORTH CAROLINA'S SCHOOL PUPIL TRANSPORTATION PROGRAM, with a favorable report.

H. J. R. 1185, A JOINT RESOLUTION DIRECTING THE MENTAL HEALTH STUDY COMMISSION TO PREPARE A RECODIFICATION DRAFT OF CHAPTER 122 OF THE GENERAL STATUTES, TITLED "HOSPITALS FOR THE MENTALLY DISORDERED", AND OF RELATED STATUTES, with a favorable report.

S. J. R. 215, A JOINT RESOLUTION URGING CONGRESS TO OPPOSE THE SALE OF ANY NATIONAL FOREST SERVICE LAND IN NORTH CAROLINA, with a favorable report.

By Representative Fussell for the Committee on Highway Safety:

Senate Committee Substitute No. 2 for H. B. 116, A BILL TO BE ENTITLED AN ACT TO ALLOW THE HEAD OF A LOCAL LAW ENFORCEMENT AGENCY TO APPOINT TRAFFIC CONTROL OFFICERS, with recommendation that the House concur.

On motion of Representative Fussell, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Fussell, the House concurs in Senate Committee Substitute No. 2 and the bill is ordered enrolled.

Committee Substitute for S. B. 259, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 20-7.1 RELATING TO CHANGE OF ADDRESS ON OPERATOR'S LICENSE, LEARNER'S PERMITS AND SPECIAL IDENTIFICATION CARDS, with a favorable report.

By Representative Evans for the Committee on Banks and Thrift Institutions:

Committee Substitute for S. B. 402, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN REVISIONS AND ADDITIONS TO THE CREDIT UNION LAW, with an unfavorable report as to Senate committee substitute bill, favorable as to House committee substitute bill.

The House committee substitute bill is placed on the Calendar for June 13, 1983. The Senate committe substitute bill is placed on the Unfavorable Calendar.

By Representative Lambeth for the Committee on Wildlife Resources:

H. B. 640, A BILL TO BE ENTITLED AN ACT TO PROHIBIT DEER HUNTING WITH DOGS NORTH OF NC 27 IN MOORE COUNTY, with a favorable report, as amended.

By Representative Holt for the Committee on Constitutional Amendments:

H. B. 909, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE V OF THE CONSTITUTION OF NORTH CAROLINA TO AUTHORIZE THE GENERAL ASSEMBLY TO CREATE AN AGENCY TO ISSUE REVENUE BONDS TO FINANCE AGRICULTURAL FACILITIES PROJECTS, SUBJECT TO THE APPROVAL OF THE ELECTORATE, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

H. B. 910, A BILL TO BE ENTITLED AN ACT CREATING THE NORTH CAROLINA AGRICULTURAL FACILITIES FINANCE AGENCY AND AUTHORIZING SAID AGENCY TO FINANCE THE CONSTRUCTION, ACQUISITION AND DEVELOPMENT OF AGRICULTURAL FACILITIES, with an unfavorable report as to bill, favorable as to committee substitute bill, and recommendation that the substitute bill be re-referred to the Committee on Finance.

The substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H. B. 1060, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION AND THE GENERAL STATUTES TO PROVIDE FOR THE ELECTION OF THE MEMBERS OF THE STATE BOARD OF EDUCATION BY THE GENERAL ASSEMBLY AND TO MAKE THE OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION APPOINTIVE, with an unfavorable report.

By Representative Gentry for the Committee on Election Laws:

S. B. 418, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE USE OF PUBLIC BUILDINGS TO REFLECT THAT POLITICAL PARTIES NOW HOLD ANNUAL MEETINGS, AND TO RESTRICT USE ONLY IF IT INTERFERES WITH SCHOOL FUNCTIONS AND ACTIVITIES, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Miller:

H. B. 1240, A BILL TO BE ENTITLED AN ACT TO PROVIDE CONFIDENTIALITY IN LEGISLATIVE COMMUNICATIONS, is referred to the Committee on Judiciary No. 1.

By Representative Lee:

H. B. 1241, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHEN A VACANCY OCCURS IN THE OFFICE OF SHERIFF OF RICHMOND COUNTY, THE CLERK OF THE SUPERIOR COURT SHALL APPOINT A PERSON AS SHERIFF FROM THE SAME POLITICAL PARTY AS HIS PREDECESSOR, is referred to the Committee on Local Government No. 1.

By Representative Hunt:

H. B. 1242, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF PUBLIC EDUCATION TO PROVIDE A SUITABLE SIZE CLOTH NORTH CAROLINA FLAG FOR EACH PUBLIC FOURTH GRADE CLASSROOM IN THE STATE, is referred to the Committee on Appropriations.

By Representatives Hightower, Beall, and Gentry:

H. B. 1243, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY INSURANCE LAWS AND REGULATION OF THE INSURANCE INDUSTRY, is referred to the Committee on Rules and Operation of the House.

By Representative Hightower:

H. B. 1244, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A FORESTRY SERVICE HEADQUARTERS BUILDING IN ANSON COUNTY, is referred to the Committee on Appropriations.

By Representative Roberts:

H. B. 1245, A BILL TO BE ENTITLED AN ACT TO MAKE THE RULE MAKING PROVISIONS OF THE ADMINISTRATIVE PROCEDURE ACT APPLICABLE TO THE INDUSTRIAL COMMISSION, is referred to the Committee on Judiciary No. 2.

By Representatives James, Black, Brawley, Brown, Brubaker, Creecy, Enloe, Gillam, Greenwood, Grimsley, Jordan, Lacey, Lambeth, Lutz, McAlister, Mavretic, Tyson, Warren, and B. Woodard:

H. B. 1246, A BILL TO BE ENTITLED AN ACT TO CONTINUE A LEGISLATIVE COMMISSION TO STUDY THE WATER POLLUTION PROBLEMS AND WATER RESOURCES NEEDS OF THE CHOWAN RIVER BASIN AND THE ALBEMARLE SOUND BASIN, is referred to the Committee on Rules and Operation of the House.

By Representatives James, Black, Brown, Creecy, Enloe, Gillam, Greenwood, Lacey, Lutz, and Tyson:

H. B. 1247, A BILL TO BE ENTITLED AN ACT TO RESTRICT THE ACQUISITION OF INTERESTS IN NORTH CAROLINA AGRICULTURE LAND BY NONRESIDENT ALIENS, is referred to the Committee on Agriculture.

By Representatives Edwards and Jeralds:

H. B. 1248, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO FAYETTEVILLE/CUMBERLAND COUNTY OPPORTUNITIES INDUSTRIALIZATION CENTER, INC., LOCATED IN FAYETTEVILLE, NORTH CAROLINA, is referred to the Committee on Appropriations.

By Representatives Robinson, J. Hughes, and Lacey:

H. B. 1249, A BILL TO BE ENTITLED AN ACT TO INCLUDE TWO SATELLITE AREAS WITHIN THE CORPORATE LIMITS OF THE TOWN OF BAKERSVILLE, is referred to the Committee on Local Government No. 2.

By Representatives Auman, Anderson, Barker, Colton, Evans, Foster, Helms, Holt, James, Lee, McDowell, Murphy, Musselwhite, Owens, Payne, and Seymour:

H. B. 1250, A BILL TO BE ENTITLED AN ACT TO REPEAL THE TAX ON INTANGIBLE PERSONAL PROPERTY, TO IMPOSE AN INCOME TAX SURTAX, TO REIMBURSE COUNTIES FOR THE LOSS OF INTANGIBLES TAX REVENUE, AND TO MAKE VARIOUS APPROPRIATIONS, is referred to the Committee on Finance.

By Representatives Holt, McAlister, and McDowell:

H. B. 1251, A BILL TO BE ENTITLED AN ACT TO GIVE THE CITY OF EDEN AUTHORITY TO ABOLISH THE CITY OF EDEN EMPLOYEES' RETIREMENT SYSTEM UPON TRANSFER OF EMPLOYEES TO THE NORTH CAROLINA LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement.

By Representative Holt:

H. B. 1252, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ALL SCHOOL BUSES BE EQUIPPED WITH SEAT BELTS BEFORE JANUARY 1, 1986, is referred to the Committee on Highway Safety.

By Representative Adams:

H. B. 1253, A BILL TO BE ENTITLED AN ACT DEFINING LEGISLATIVE BRIBERY AND CONSOLIDATING THE STATUTES RELATING THERETO, is referred to the Committee on Rules and Operation of the House.

By Representative Adams:

H. B. 1254, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE ON WHICH MEMBERS OF COUNTY BOARDS OF ELECTIONS, REGISTRARS AND JUDGES OF ELECTIONS ARE APPOINTED, is referred to the Committee on Election Laws.

By Representatives Jarrell and Burnley:

H. B. 1255, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE NORTH CAROLINA SHAKESPEARE FESTIVAL LOCATED IN HIGH POINT, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute No. 2 for H. B. 413, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE EQUITABLE DISTRIBUTION ACT, is returned for concurrence in Senate Committee Substitute No. 2 and is placed on the Calendar for June 10, 1983.

S. B. 513, A BILL TO BE ENTITLED AN ACT TO ESTABLISH UNIQUE AND RELEVANT EDUCATION AND TRAINING STANDARDS FOR SHERIFFS, THEIR DEPUTIES, AND OTHER PERSONNEL, is read the first time and is referred to the Committee on Law Enforcement.

Senate Committee Substitute for H. B. 129, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DIVISION OF MOTOR VEHICLES MAY NOT ISSUE A DRIVER'S LICENSE TO A PERSON WHOSE LICENSE WAS CANCELLED IN ANOTHER JURISDICTION, is returned for concurrence in Senate Committee Substitute and is referred to the Committee on Highway Safety.

Committee Substitute for S. B. 298, A BILL TO BE ENTITLED AN ACT TO ALLOW ISSUANCE OF FICTITIOUS DRIVERS' LICENSES AND REGISTRATION PLATES FOR ALCOHOL LAW ENFORCEMENT AGENTS AND DIVISION OF MOTOR VEHICLES LAW ENFORCEMENT PERSONNEL, is read the first time and is referred to the Committee on Transportation.

Committee substitute No. 2 for S. B. 451, A BILL TO BE ENTITLED AN ACT TO DEFINE THE COST AND METHOD OF EXTENDING CREDIT ON MERCHANTS REVOLVING CHARGE ACCOUNTS, is read the first time and is referred to the Committee on Banks and Thrift Institutions.

CALENDAR

Action is taken on the following:

Senate Committee Substitute Joint Resolution No. 2 for H. B. 334, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PILOT PROGRAM PROVIDING FOR PUBLIC SCHOOL TEACHERS AND COLLEGE EDUCATION TEACHERS TO EXCHANGE DUTIES.

On motion of Representative Chapin, the House concurs in Senate Committee Substitute Joint Resolution No. 2, which changes the title, and the resolution is ordered enrolled.

H. B. 1132, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF TRYON AND TO REINCORPORATE THE TOWN OF LYNN.

On motion of Representative Owens, Committee Amendments Nos. 1 and 2 are adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Anderson, Auman, Ballance, Barbee, Barker, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brown, Brubaker, Burnley, Childress, Church, Clark, Coble, Cochrane, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fletcher, Foster, Fussell, Gentry, Gillam, Greenwood, Grimsley, Hackney, Hasty, Hauser, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Huskins, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Murphy, Musselwhite, Nesbitt, Owens, Pool, Poovey, Pulley, Redding, Rhodes, Roberts, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Womble, B. Woodard, C. Woodard, and Wright — 97.

Voting in the negative: None.

Excused absences: Representatives Brawley, James, Ligon, and Miller — 4.

H. B. 1165, A BILL TO BE ENTITLED AN ACT TO EMPOWER CATAWBA MEMORIAL HOSPITAL TO USE ATTACHMENT AND GARNISHMENT PROCEDURES FOR COLLECTING UNPAID BILLS.

Representative Huskins offers Amendment No. 1 which is adopted. This amendment changes the title.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Anderson, Barbee, Barker, Beall, Beam, Beard, Black, Brown, Brubaker, Burnley, Childress, Church, Clark, Coble, Cochrane, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fletcher, Foster, Fussell, Gentry, Gillam, Greenwood, Grimsley, Hackney, Hasty, Hayden, Helms, Hightower, Holmes, Hudson, C. Hughes, J. Hughes, Hunt, Huskins, Jarrell, Jones, Jordan, Keesee, Lacey, Lambeth, Lee, Lilley, Lutz, McAlister, Matthews, Mauney, Mavretic, Murphy, Musselwhite, Nesbitt, Owens, Poovey, Rabon, Redding, Rhodes, Roberts, Seymour, Spaulding, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Womble, and B. Woodard — 77.

Voting in the negative: Representatives Auman, Ballance, Berry, Bowen, Brannan, Edwards, Hauser, Jeralds, Kennedy, Lancaster, McDowell, Pool, Pulley, Slaughter, Spoon, C. Woodard, and Wright — 17.

Excused absences: Representatives Brawley, James, Ligon, and Miller — 4.

Committee Substitute for S. B. 385, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF MARVIN IN UNION COUNTY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Anderson, Auman, Ballance, Barbee, Barker, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brown, Brubaker, Burnley, Childress, Church, Coble, Cochrane, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Evans, Fletcher, Foster, Fussell, Gentry, Gillam, Greenwood, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Huskins, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Murphy, Musselwhite, Owens, Pool, Poovey, Pulley, Rabon, Redding, Rhodes, Roberts, Seymour, Slaughter, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Womble, B. Woodard, C. Woodard, and Wright — 93.

Voting in the negative: None.

Excused absences: Representatives Brawley, James, Ligon, and Miller — 4.

Committee Substitute for H. B. 709, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE ALARM SYSTEMS LICENSING ACT.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Bowen, Brannan, Brown, Brubaker, Burnley, Childress, Church, Coble, Cochrane, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Evans, Fletcher, Foster, Fussell, Gentry, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, Hunter, Huskins, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Murphy, Musselwhite, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Rabon, Redding, Rhodes, Roberts, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 96.

Voting in the negative: Representative J. Hughes.

Excused absences: Representatives Brawley, James, Ligon, and Miller — 4.

H. B. 1099, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCOME TAX CREDIT TO FARMERS WHO PERMIT THEIR CROPS TO BE GLEANED.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Anderson, Auman, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brown, Brubaker, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Bob Etheridge, Evans, Fletcher, Foster, Fussell, Gentry, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunter, Huskins, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McDowell, Matthews, Mauney, Mavretic, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Rabon, Redding, Rhodes, Roberts, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 98.

Voting in the negative: Representative Ballance.

Excused absences: Representatives Brawley, James, Ligon, and Miller — 4.

Committee Substitute for S. B. 422, A BILL TO BE ENTITLED AN ACT CONCERNING FEES RELATING TO THE PRACTICE OF COSMETIC ART.

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House amendment.

Those voting in the affirmative are: Representatives Adams, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brown, Bumgardner, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Evans, Fletcher, Foster, Fussell, Gentry, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holmes, Holt, Hudson, C. Hughes, Hunter, Huskins, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Mauney, Mavretic, Murphy, Musselwhite, Nash, Nesbitt, Owens, Pool, Poovey, Pulley, Rabon, Rhodes, Roberts, Seymour, Slaughter, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 95.

Voting in the negative: Representatives Brubaker, J. Hughes, and Redding — 3.

Excused absences: Representatives Brawley, James, Ligon, and Miller — 4.

H. B. 1176, A BILL TO BE ENTITLED AN ACT TO GIVE PUBLIC SCHOOLS EQUAL PRIORITY IN BORROWING LIBRARY FILMS.

The bill, as amended, passes its third reading, by electronic vote (107-0), and is ordered engrossed and sent to the Senate.

H. B. 1142, A BILL TO BE ENTITLED AN ACT TO EXTEND THE STUDY OF THE STATE'S INTERESTS IN RAILROAD PROPERTIES, passes its second reading, by electronic vote (103-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 202, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROVISIONS FOR CERTIFICATION OF LOCAL TAXING OFFICIALS AND TO PROVIDE A CONTINUING EDUCATION PROGRAM FOR ALL PERSONS ENGAGED IN THE APPRAISAL OF PROPERTY FOR TAXATION, passes its second reading, by electronic vote (96-6), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 203, A BILL TO BE ENTITLED AN ACT TO REVISE THE PROCEDURE FOR PROTEST AND APPEAL OF PROPERTY TAX LISTINGS AND ASSESSMENTS.

Representative McAlister offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (99-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Committee Substitute for H. B. 911, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE APPLICABLE COURT SHALL MAKE THE DIVISION OF THE SETTLEMENT OR JUDGMENT COSTS AMONG JOINT TORTFEASORS IN ACTIONS BROUGHT UNDER THE WORKERS' COMPENSATION ACT WHEN THEY CANNOT AGREE AND PROVIDING FOR LIMITATIONS OF ITS APPLICABILITY, passes its second reading, by electronic vote (101-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 1028, A BILL TO BE ENTITLED AN ACT TO ALLOW PRIVATE PEER REVIEW IN DOMICILIARY HOMES.

On motion of Representative Economos, Committee Amendment No. 1 is adopted.

Representative Economos calls the previous question on the passage of the bill and the call is sustained by electronic vote (83-21).

The bill, as amended, passes its second reading by electronic vote (76-26).

Representative Nesbitt objects to the third reading. The bill remains on the Calendar.

H. B. 356, A BILL TO BE ENTITLED AN ACT TO DELAY THE EFFECTIVE DATE FOR THE REMOVAL OF JUVENILES FROM JAILS, passes its second reading, by electronic vote (106-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 1043, A BILL TO BE ENTITLED AN ACT TO REQUIRE DRIVERS TO YIELD THE RIGHT-OF-WAY TO VEHICLES GIVING A WARNING SIGNAL BY EITHER LIGHTS OR SIRENS.

On motion of Representative Pulley, Committee Amendment No. 1 is adopted.

On motion of Representative Blue, the bill is ordered engrossed and re-referred to the Committee on Judiciary No. 4.

H. B. 1202, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE FILING OF A NOTICE OF APPEAL WITHIN THIRTY DAYS IN ALL APPEALS TAKEN FROM DECISIONS OR ORDERS OF THE PROPERTY TAX COMMISSION.

On motion of Representative Clark, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (96-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

S. B. 289, A BILL TO BE ENTITLED AN ACT DESIGNATING THE OFFICE OF STATE PERSONNEL AND THE STATE PERSONNEL COMMISSION AS THE DEFERRAL AGENCY FOR EEOC COMPLAINTS, passes its second reading, by electronic vote (94-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 91, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ALL OCCUPATIONAL LICENSING BOARDS MAY RECEIVE THE INTEREST ON FUNDS DEPOSITED BY THEM WITH THE STATE TREASURER FOR INVESTMENT, passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 663, AN ACT TO REVISE G. S. 47-30.

H. B. 874, AN ACT TO ALLOW THE CITY OF DURHAM TO COMPLY WITH MINIMUM MINORITY AND/OR WOMEN'S BUSINESS ENTERPRISE PARTICIPATION REQUIREMENTS.

H. B. 884, AN ACT TO CHANGE THE NAME OF THE GOVERNING BODY OF THE MONROE CITY SCHOOL ADMINISTRATIVE UNIT AND TO PROVIDE THAT THE MONROE CITY AND UNION COUNTY SCHOOL ADMINISTRATIVE UNITS MAY NOT BE MERGED WITHOUT A COUNTYWIDE REFERENDUM.

H. B. 1126, AN ACT TO EXEMPT THE WESTERN NORTH CAROLINA AGRICULTURAL CENTER FROM G. S. 66-58.

S. B. 366, AN ACT TO RAISE THE MAXIMUM INTEREST RATE ON LOANS FROM THE STATE LITERARY FUND.

S. B. 413, AN ACT TO DELETE THE REQUIREMENT THAT COUNTY SUPERINTENDENTS OF SCHOOLS BE APPROVED BY THE STATE BOARD OF EDUCATION AND THE SUPERINTENDENT OF PUBLIC INSTRUCTION.

S. B. 421, AN ACT TO MAKE TECHNICAL CHANGES TO THE COMMUNITY COLLEGE LAWS.

S. B. 440, AN ACT TO ALLOW THE LINE FOR INCOME TAX CHECKOFF TO THE NORTH CAROLINA ELECTION CAMPAIGN FUND TO APPEAR ANYWHERE ON THE FRONT FACE OF THE RETURN.

S. B. 441, AN ACT TO REMOVE THE CEILING ON THE NORTH CAROLINA ELECTION CAMPAIGN FUND SO AS TO ALLOW ALL MONEY DESIGNATED BY TAXPAYERS TO BE USED.

S. B. 494, AN ACT TO REQUIRE UNIFORM SCALE TICKETS FOR GRAIN.

On motion of Representative Hunt, seconded by Representative Varner, the House adjourns to reconvene June 10, 1983 at 10:00 a.m.

ONE HUNDRED EIGHTH DAY

HOUSE OF REPRESENTATIVES
Friday, June 10, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Fussell.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of June 9 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Allran, Beall, Brawley, Gillam, Hudson, Jeralds, Kennedy, Ligon, Spoon, and Stamey for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Economos for the Committee on Aging:

H. B. 48, A BILL TO BE ENTITLED AN ACT TO ELIMINATE MANDATORY RETIREMENT AT AGE 70 FOR PERSONS COVERED UNDER THE STATE EMPLOYEES OR LOCAL GOVERNMENT EMPLOYEES RETIREMENT SYSTEM, with a favorable report, as amended, and placed on the Calendar for June 14, 1983.

By Representative Nesbitt for the Committee on Small Business:

H. B. 567, A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES 14-107 TO MANDATE RESTITUTION FOR WORTHLESS CHECKS THROUGH COMMUNITY SERVICE WORK, IF NEEDED, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for June 14, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 1177, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF ADMINISTRATION TO PUBLISH A NORTH CAROLINA PURCHASE REGISTRY, with a favorable report, as amended.

By Representative Miller for the Committee on Judiciary No. 1:

H. B. 63, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO CONTINUE ITS STUDY OF INSURANCE REGULATION, CREDIT INSURANCE, AND STATE GOVERNMENT RISK MANAGEMENT, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for June 14, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 717, A BILL TO BE ENTITLED AN ACT TO RAISE THE PENALTIES FOR TAX EVASION AND EMBEZZLEMENT, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for June 14, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 718, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS TO ENFORCE TAX EVASION AND EMBEZZLEMENT STATUTES, without prejudice and recommendation that the bill be re-referred to the Committee on Appropriations.

By Representative Tyson for the Committee on State Properties:

S. B. 372, A BILL TO BE ENTITLED AN ACT TO ASSURE THAT IF THE WESTERN RESIDENCE OF THE GOVERNOR IN ASHEVILLE IS DAMAGED OR DESTROYED, IT WILL BE REPAIRED, with a favorable report.

By Representative Helms for the Committee on Courts and Administration of Justice:

H. B. 1111, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE ATTORNEYS' FEES AWARD IN CERTAIN CASES, with a favorable report.

H. B. 1167, A BILL TO BE ENTITLED AN ACT SETTING A TIME LIMIT FOR FILING THE FINAL AFFIDAVIT FOR ADMINISTRATION OF A SMALL ESTATE, with a favorable report.

By Representative Wicker for the Committe on Law Enforcement:

S. B. 513, A BILL TO BE ENTITLED AN ACT TO ESTABLISH UNIQUE AND RELEVANT EDUCATION AND TRAINING STANDARDS FOR SHERIFFS, THEIR DEPUTIES, AND OTHER PESONNEL, with a favorable report.

By Representative Lambeth for the Committee on Wildlife Resources:

H. B. 521, A BILL TO BE ENTITLED AN ACT TO PROHIBIT TAKING CERTAIN WILDLIFE SPECIES WITH DOGS IN PART OF MARTIN COUNTY, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for June 14, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Evans for the Committee on Banks and Thrift Institutions:

H. B. 902, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT CHECKS ON ALL NEW CHECKING ACCOUNTS INDICATE THE MONTH AND YEAR IN WHICH THE ACCOUNT WAS OPENED, with an unfavorable report.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H. B. 1092, A BILL TO BE ENTITLED AN ACT TO PROVIDE A GOOD SAMARITAN STATUTE FOR RURAL FIRE DEPARTMENTS, is returned for concurrence in Senate amendments and is placed on the Calendar for June 13, 1983.

S. B. 550, A BILL TO BE ENTITLED AN ACT TO INCLUDE A WOMAN LAW ENFORCEMENT OFFICER ON THE CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION, is read the first time and is referred to the Committee on Law Enforcement.

S. B. 433, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GUARDIAN AD LITEM APPOINTED FOR A JUVENILE ALLEGED ABUSED OR NEGLECTED MAY PETITION FOR TERMINATION OF PARENTAL RIGHTS, is read the first time and is referred to the Committee on Judiciary No. 4.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Payne and Rhodes:

H. B. 1256, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS FOR ST. THOMAS' CHURCH RESTORATION IN WILMINGTON, is referred to the Committee on Appropriations.

By Representatives Hackney, Barnes, Cook, Holt, McAlister, McDowell, Miller, and Wicker:

H. J. R. 1257, A JOINT RESOLUTION TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE QUALITY OF THE WATER IN THE HAW RIVER AND JORDAN RESERVOIR, is referred to the Committee on Rules and Operation of the House.

By Representative Hackney:

H. B. 1258, A BILL TO BE ENTITLED AN ACT TO REVISE AND SIMPLIFY G. S. 8-56 REGARDING THE TESTIMONY OF SPOUSES IN CIVIL ACTIONS, is referred to the Committee on Judiciary No. 1.

By Representatives Lancaster, Beall, Berry, Black, Brennan, Coble, Colton, N. J. Crawford, Easterling, Economos, Enloe, Foster, Gist, Greenwood, Grimsley, Helms, Holt, Hunter, Jarrell, Jones, Keesee, Kennedy, Lutz, Nesbitt, Rhodes, Roberts, Seymour, Spaulding, Spoon, Tennille, Warren, and Wright:

H. B. 1259, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE ADDITIONAL FUNDS TO THE REGIONAL ARTS RESOURCES PROGRAM, is referred to the Committee on Appropriations.

By Representative Lancaster:

H. B. 1260, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CONFORMING CHANGES IN THE RAPE INDICTMENT STATUTE AS A RESULT OF CHAPTER 175 OF THE SESSION LAWS OF 1983, is referred to the Committee on Judiciary No. 3.

By Representatives Roberts, Adams, Ballance, Barnes, Beam, Berry, Blue, Brennan, Brown, Bumgardner, Burnley, Childress, Colton, Cook, N. J. Crawford, Diamont, Easterling, Economos, Edwards, Enloe, Bruce Ethridge, Evans, Fenner, Fletcher, Fulcher, Fussell, Gentry, Gist, Greenwood, Grimsley, Hackney, Hauser, Hayden, Holt, Jarrell, Jeralds, Keesee, Kennedy, Lacey, Locks, McDowell, Miller, Nesbitt, Payne, Rhodes, Seymour, Spoon, Tennille, Thomas, Tyndall, and Womble:

H. B. 1261, A BILL TO BE ENTITLED AN ACT TO PROVIDE WORKERS' COMPENSATION FOR FARM WORKERS ON FARMS WITH TEN OR MORE WORKERS, is referred to the Committee on Manufacturers and Labor.

By Representatives Bob Etheridge and Wicker:

H. B. 1262, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A CHAPEL AND MULTI-PURPOSE BUILDING AT HARNETT YOUTH CENTER, is referred to the Committee on Appropriations.

By Representatives Gillam, Ballance, and Creecy:

H. B. 1263, A BILL TO BE ENTITLED AN ACT AUTHORIZING NEARBY COUNTIES TO JOIN IN THE BERTIE-MARTIN REGIONAL JAIL, is referred to the Committe on Local Government No. 1.

By Representatives Jordan and Gentry:

H. B. 1264, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ELECTIONS SHALL NORMALLY BE HELD IN MAY OR NOVEMBER SO AS TO REDUCE THE COST AND FREQUENCY OF SPECIAL ELECTIONS, is referred to the Committee on Election Laws.

By Representatives Musselwhite, Blue, Fussell, and Stamey:

H. B. 1265, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS FOR AN INTERMEDIATE CARE FACILITY FOR THE MENTALLY RETARDED FOR THE TAMMY LYNN CENTER, is referred to the Committee on Appropriations.

By Representatives Musselwhite and Stamey:

H. B. 1266, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN TRAILER CONVERTERS FROM THE MOTOR VEHICLE REGISTRATION REQUIREMENTS, is referred to the Committee on Transportation.

By Representatives Barnes, Adams, Ballance, Berry, Black, Blue, Colton, Cook, Diamont, Fletcher, Gillam, Gist, Hackney, Holt, Nesbitt, Payne, Pulley, Rabon, Wicker, and Womble:

H. B. 1267, A BILL TO BE ENTITLED AN ACT TO REQUIRE LENDERS TO PAY INTEREST ON ESCROW ACCOUNTS, is referred to the Committee on Banks and Thrift Institutions.

By Representative Hunter:

H. B. 1268, A BILL TO BE ENTITLED AN ACT APPROPRIATING FUNDS FOR THE YANCEY COUNTY ONE HUNDRED AND FIFTIETH YEAR CELEBRATION, is referred to the Committee on Appropriations.

On motion of Representative Hayden, the rules are suspended and the following is read the first time:

By Representatives Hayden, Diamont, and Gentry:

H. R. 1276, A HOUSE RESOLUTION CALLING ON THE GENERAL SERVICES ADMINISTRATION TO SELL THE WINDMILL ON HOWARD'S KNOB TO WATAUGA COUNTY.

On motion of Representative Hayden, the rules are suspended and the resolution is placed before the House for immediate consideration.

On motion of Representative Hayden, the resolution is adopted by electronic vote (74-0).

CALENDAR

Action is taken on the following:

H. B. 1171, A HOUSE RESOLUTION AMENDING THE PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES TO PROVIDE THAT NO BILL SHALL BE SENT FROM THE HOUSE ON THE DAY OF ITS PASSAGE EXCEPT ON THE LAST DAY OF THE SESSION.

On motion of Representative Adams, the resolution is adopted by electronic vote (84-0).

Senate Committee Substitute No. 2 for H. B. 413, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE EQUITABLE DISTRIBUTION ACT.

On motion of Representative Hackney, the House does not concur in Senate Committee Substitute No. 2 and conferees are requested.

The Speaker announces the appointment of Representatives Hackney, Chairman; Slaughter, Miller, Nesbitt, and Pool as conferees and the Senate is so notified by Special Message.

H. B. 1132, A BILL TO BE ENTITLED AN ACT TO REMOVE CERTAIN PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF TRYON AND TO REINCORPORATE THE TOWN OF LYNN.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beard, Black, Brannan, Brennan, Brubaker, Bumgardner, Burnley, Chapin, Childress, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Fletcher, Foster, Gentry, Gist, Grimsley, Hackney, Hasty, Hightower, Holmes, C. Hughes, Huskins, James, Jones, Keesee, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Nash, Owens, Payne, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Tennille, Thomas, Tyndall, Tyson, Varner, Watkins, Womble, B. Woodard, and Wright — 83.

Voting in the negative: Representatives Bowen and Pool — 2.

Excused absences: Representatives Allran, Beall, Brawley, Gillam, Hudson, Jeralds, Kennedy, Ligon, Spoon, and Stamey — 10.

H. B. 1165, A BILL TO BE ENTITLED AN ACT TO EMPOWER CATAWBA MEMORIAL HOSPITAL AND ALEXANDER COUNTY HOSPITAL TO USE ATTACHMENT AND GARNISHMENT PROCEDURES FOR COLLECTING UNPAID BILLS.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beard, Black, Brannan, Brennan, Brubaker, Bumgardner, Burnley, Chapin, Childress, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J.

Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Fletcher, Foster, Gentry, Gist, Grimsley, Hackney, Hasty, Hightower, Holmes, C. Hughes, Huskins, James, Jones, Keesee, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Nash, Owens, Payne, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Tennille, Thomas, Tyndall, Tyson, Varner, Watkins, Womble, B. Woodard, and Wright — 83.

Voting in the negative: Representatives Bowen and Pool — 2.

Excused absences: Representatives Allran, Beall, Brawley, Gillam, Hudson, Jeralds, Kennedy, Ligon, Spoon, and Stamey — 10.

Committee Substitute for H. B. 385, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE VILLAGE OF MARVIN IN UNION COUNTY, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beard, Black, Brannan, Brennan, Brubaker, Bumgardner, Burnley, Chapin, Childress, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Fletcher, Foster, Gentry, Gist, Grimsley, Hackney, Hasty, Hightower, Holmes, C. Hughes, Huskins, James, Jones, Keesee, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Nash, Owens, Payne, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Tennille, Thomas, Tyndall, Tyson, Varner, Watkins, Womble, B. Woodard, and Wright — 83.

Voting in the negative: Representatives Bowen and Pool — 2.

Excused absences: Representatives Allran, Beall, Brawley, Gillam, Hudson, Jeralds, Kennedy, Ligon, Spoon, and Stamey — 10.

House Committee Substitute Joint Resolution for H. B. 602, A JOINT RESOLUTION URGING THE NEW HANOVER COUNTY BOARD OF EDUCATION TO STUDY THE ADVISABILITY OF LEGISLATION PROVIDING FOR NONPARTISAN ELECTIONS FOR THE NEW HANOVER COUNTY BOARD OF EDUCATION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Anderson, Auman, Ballance, Barbee, Barnes, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brennan, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Fletcher, Fussell, Gentry, Gist, Grimsley, Hackney, Hasty, Hauser, Helms, Hightower, Holmes, C. Hughes, Hunt, Huskins, James, Jarrell, Jones, Jordan, Keesee, Lacey, Lambeth, Lancaster, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Owens, Payne, Pool, Poovey, Pulley, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Spaulding, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Womble, B. Woodard, C. Woodard, and Wright — 89.

Voting in the negative: None.

Excused absences: Representatives Allran, Beall, Brawley, Gillam, Hudson, Jeralds, Kennedy, Ligon, Spoon, and Stamey — 10.

Committee Substitute for H. B. 347, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 669 OF THE SESSION LAWS OF 1943, AS AMENDED, TO GIVE THE BOARD OF COMMISSIONERS OF THE COUNTY OF NEW HANOVER THE AUTHORITY TO TERMINATE THE RETIREMENT SYSTEM OF NEW HANOVER COUNTY, NORTH CAROLINA, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 640, A BILL TO BE ENTITLED AN ACT TO PROHIBIT DEER HUNTING WITH DOGS NORTH OF NC 27 IN MOORE COUNTY.

On motion of Representative Auman, Committee Amendment No. 1 is adopted. This amendment changes the title.

The bill, as amended, passes its second reading and remains on the Calendar.

Committee Substitute for H. B. 278, A BILL TO BE ENTITLED THE TAX ADJUSTMENT ACT OF 1983.

Representative Church requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

Representative Miller offers Amendment No. 1 which is adopted.

Representative Jordan offers Amendment No. 2.

On motion of Representative Quinn, seconded by Representative DeVane, Amendment No. 2 is tabled by electronic vote (84-16).

Representative Redding offers Amendment No. 3.

On motion of Representative Watkins, seconded by Representative Wicker, Amendment No. 3 is tabled by electronic vote (89-13).

Representative Quinn calls the previous question on the passage of the bill and the call is sustained by electronic vote (90-12).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brennan, Bumgardner, Chapin, Childress, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holt, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Pulley, Quinn, Rabon, Roberts, Seymour, Slaughter, Spaulding, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 93.

Voting in the negative: Representatives Brubaker, Burnley, Coble, Cochrane, Holmes, C. Hughes, Jordan, Keesee, Lacey, Poovey, Redding, Rhodes, and Robinson — 13.

Excused absences: Representatives Allran, Beall, Brawley, Gillam, Hudson, Kennedy, Ligon, Spoon, and Stamey — 9.

Excused votes: Representative Church.

Committee Substitute for S. B. 259, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 20-7.1 RELATING TO CHANGE OF ADDRESS ON OPERATOR'S LICENSE, LEARNER'S PERMITS AND SPECIAL IDENTIFICATION CARDS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Anderson, Auman, Barbee, Barker, Barnes, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brennan, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Enloe, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gist, Greenwood, Grimsley, Hasty, Hauser, Helms, Hightower, Holmes, Holt, C. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Keesee, Lacey, Lambeth, Lancaster, Lee, Lilley, Lutz, McAlister, Matthews, Mauney, Miller, Murphy, Musselwhite, Nesbitt, Owens, Poovey, Rabon, Redding, Rhodes, Robinson, Seymour, Slaughter, Spaulding, Tennille, Thomas, Tyndall, Tyson, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 88.

Voting in the negative: None.

Excused absences: Representatives Allran, Beall, Brawley, Gillam, Hudson, Kennedy, Ligon, McDowell, Spoon, and Stamey — 10.

H. B. 1028, A BILL TO BE ENTITLED AN ACT TO ALLOW PRIVATE PEER REVIEW IN DOMICILIARY HOMES.

The bill, as amended, passes its third reading, by electronic vote (56-8) and is ordered engrossed and sent to the Senate.

Committee Substitute for H. B. 179, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 50 OF THE GENERAL STATUTES TO ESTABLISH PROCEDURES TO INSURE PAYMENT OF CHILD SUPPORT.

On motion of Representative Hackney, consideration of the bill is postponed until June 17, 1983.

Committee Substitute for H. B. 180, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 15A OF THE GENERAL STATUTES TO ESTABLISH PROCEDURES TO INSURE PAYMENT OF CHILD SUPPORT.

On motion of Representative Hackney, consideration of the bill is postponed until June 17, 1983.

Committee Substitute for H. B. 305, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS PERTAINING TO THE EXECUTIVE MANSION FINE ARTS COMMITTEE, passes its second reading, by electronic vote (78-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 951, A BILL TO BE ENTITLED AN ACT TO AMEND AND REORGANIZE CHAPTER 159B OF THE GENERAL STATUTES AND TO CREATE A NEW ARTICLE TO PROVIDE FOR JOINT MUNICIPAL ASSISTANCE AGENCIES AND TO MAKE TECHNICAL AMENDMENTS TO G. S. 128-1 AND ARTICLE 3 OF CHAPTER 159 OF THE GENERAL STATUTES, passes its second reading, by electronic vote (79-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 56, A BILL TO BE ENTITLED AN ACT TO AMEND THE SAFE DRIVER INSURANCE PLAN PROVISIONS BY INCREASING THE PROPERTY DAMAGE THRESHOLD FOR CHARGEABLE ACCIDENTS AND ELIMINATING SURCHARGES FOR CERTAIN SPEEDING TRAFFIC VIOLATIONS, passes its second reading, by electronic vote (79-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 632, A BILL TO BE ENTITLED AN ACT TO EXTEND THE EXPIRATION DATE OF THE CAP ON MOTOR VEHICLE INSURANCE RATE INCREASES, passes its second reading, by electronic vote (74-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Representative Barbee presiding.

Committee Substitute for H. B. 110, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE COMMITTEE ON OCCUPATIONAL AND PROFESSIONAL LICENSURE TO STUDY THE NEED FOR NEW LICENSING LAWS AND PROGRAMS ACCORDING TO CRITERIA AND PROCEDURES SPECIFIED HEREIN, passes its second reading, by electronic vote (73-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 839, A BILL TO BE ENTITLED AN ACT TO ALLOW THE PAROLE COMMISSION TO PAROLE CERTAIN PRE-FAIR SENTENCING FELONS, passes its second reading, by electronic vote (80-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 944, A BILL TO BE ENTITLED AN ACT TO PREVENT HARASSMENT OF JURORS OR FORMER JURORS, passes its second reading, by electronic vote (82-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 1118, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 20 TO MAKE ODOMETER FRAUD A FELONY.

On motion of Representative Lancaster, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (81-6), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 1213, A BILL TO BE ENTITLED AN ACT TO PREVENT THE USE OF ARTIFICIAL LIGHTS IN TAKING DEPREDATING DEER, passes its second reading by electronic vote (71-13).

Representative Auman objects to the third reading. The bill remains on the Calendar.

H. B. 1198, A BILL TO BE ENTITLED AN ACT TO REGULATE THE TAKING OF EXOTIC SPECIES OF WILD ANIMALS AND BIRDS OR SPECIES NOT INDIGENOUS TO THE AREA, passes its second reading by electronic vote (77-9).

Representative Lambeth objects to the third reading. The bill remains on the Calendar.

H. B. 924, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 58-79(a)(12) REGARDING LIFE INSURANCE COMPANY INVESTMENTS IN COMPUTER SYSTEMS, passes its second reading, by electronic vote (81-0) and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 1009, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 58-79(a) PERTAINING TO LIFE INSURANCE COMPANY INVESTMENTS IN FUTURES CONTRACTS, passes its second reading by electronic vote (84-0).

Representative Rhodes objects to the third reading. The bill remains on the Calendar.

H. B. 1114, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 12, G. S. 115C-189 TO ALLOW THE STATE BOARD OF EDUCATION TO SELECT THE TYPE OF ANNUAL TEST TO BE USED IN THE FIRST, SECOND, THIRD, SIXTH AND NINTH GRADES.

Representative Blue offers Amendment No. 1 which is adopted.

Representative Diamont offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (86-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered engrossed and sent to the Senate.

H. J. R. 1180, A JOINT RESOLUTION TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY NORTH CAROLINA'S SCHOOL PUPIL TRANSPORTATION PROGRAM.

On motion of Representative Anderson, the bill is re-referred to the Committee on Appropriations.

H. J. R. 1185, A JOINT RESOLUTION DIRECTING THE MENTAL HEALTH STUDY COMMISSION TO PREPARE A RECODIFICATION DRAFT OF CHAPTER 122 OF THE GENERAL STATUTES, TITLED "HOSPITALS FOR THE MENTALLY DISORDERED", AND OF RELATED STATUTES, passes its second reading by electronic vote (77-3).

On motion of Representative Watkins, the bill is re-referred to the Committee on Appropriations.

The Speaker presiding.

House Committee Substitute for S. B. 479, A BILL TO BE ENTITLED AN ACT TO CLARIFY A PROVISION IN THE GROUP HEALTH INSURANCE CONTINUATION AND CONVERSION PRIVILEGES LAW, passes its second reading, by electronic vote (87-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

S. B. 266, A BILL TO BE ENTITLED AN ACT TO CLARIFY AND SIMPLIFY THE COASTAL AREA MANAGEMENT ACT, passes its second reading, by electronic vote (84-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for S. B. 90, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 15A OF THE GENERAL STATUTES TO ESTABLISH PROCEDURES TO INSURE PAYMENT OF CHILD SUPPORT.

On motion of Representative Watkins, consideration of the bill is postponed until June 15, 1983.

On motion of Representative Watkins, House Committee Substitute for Senate Committee for S. B. 89, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 50 OF THE GENERAL STATUTES TO ESTABLISH PROCEDURES TO INSURE PAYMENT OF CHILD SUPPORT, is removed from the Calendar for June 13, 1983 and is placed on the Calendar for June 15, 1983.

Committee Substitute for S. B. 279, A BILL TO BE ENTITLED AN ACT TO PROHIBIT DISCRIMINATION IN HOUSING, passes its second reading by electronic vote (81-2).

Representative Anderson objects to the third reading. The bill remains on the Calendar.

S. J. R. 215, A JOINT RESOLUTION URGING CONGRESS TO OPPOSE THE SALE OF ANY NATIONAL FOREST SERVICE LAND IN NORTH CAROLINA, passes its second reading, by electronic vote (76-2), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

S. B. 418, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING THE USE OF PUBLIC BUILDINGS TO REFLECT THAT POLITICAL PARTIES NOW HOLD ANNUAL MEETINGS, AND TO RESTRICT USE ONLY IF IT INTERFERES WITH SCHOOL FUNCTIONS AND ACTIVITIES, passes its second reading, by electronic vote (77-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 116, AN ACT TO ALLOW THE HEAD OF A LOCAL LAW ENFORCEMENT AGENCY TO APPOINT TRAFFIC CONTROL OFFICERS.

H. B. 194, AN ACT TO AMEND THE POWER TO CONFER LAW ENFORCEMENT POWERS ON SPECIAL CONSERVATION OFFICERS.

H. B. 222, AN ACT TO EXPAND THE CIVIL PENALTIES FOR VIOLATIONS OF THE COASTAL AREA MANAGEMENT ACT.

H. B. 224, AN ACT TO PERMIT ALL INCORPORATED CITIES WITHIN THE COASTAL AREA TO NOMINATE MEMBERS OF THE COASTAL RESOURCES COMMISSION.

H. B. 624, AN ACT TO REPEAL LOCAL LEGISLATION REGARDING DEER HUNTING IN STOKES COUNTY.

H. B. 631, AN ACT RELATING TO THE GRANTING OF SPECIAL USE PERMITS, CONDITIONAL USE PERMITS AND OTHER MATTERS IN MECKLENBURG COUNTY AND THE CITY OF CHARLOTTE.

H. B. 787, AN ACT TO AUTHORIZE THE USE OF COMMERCIAL WASTEWATER TREATMENT OPERATION FIRMS.

H. B. 847, AN ACT AUTHORIZING THE TOWN OF HOLDEN BEACH TO ASSESS FOR BEACH ACCESSWAYS.

H. B. 920, AN ACT TO AUTHORIZE THE DIVISION OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES TO TRANSFER PATIENT OR RESIDENT INFORMATION TO THE DEPARTMENT OF CORRECTION.

H. B. 994, AN ACT TO PERMIT THE USE OF HANDGUNS IN TAKING BIG GAME MAMMALS.

H. B. 997, AN ACT TO PROVIDE A METHOD FOR FILLING VACANCIES ON THE WASHINGTON COUNTY BOARD OF EDUCATION.

H. B. 1086, AN ACT TO ABOLISH THE BOARD OF HUMAN RESOURCES.

S. B. 83 AN ACT SETTING STANDARDS FOR QUALIFICATION, TRAINING AND EXPERIENCEFOR PERSONS SEEKING TO REPRESENT THEMSELVES TO THE PUBLIC AS CERTIFIED SOCIAL WORKERS: CREATING A STATE BOARD OF EXAMINERS FOR SOCIAL WORKERS: DEFINING THE FUNCTIONS AND DUTIES OF THAT BOARD: AND PROVIDING FOR PENALTIES.

H. J. R. 334, A JOINT RESOLUTION TO IMPROVE THE COMPETENCE OF FACULTY MEMBERS IN EDUCATIONAL METHODS IN THE UNIVERSITY, THE PRIVATE COLLEGES AND UNIVERSITIES AND IN THE PUBLIC SCHOOLS OF NORTH CAROLINA.

H. J.R. 1154, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE TO ACT ON CONFIRMATION OF APPOINTMENTS MADE BY THE GOVERNOR TO THE STATE PERSONNEL COMMISSION.

On motion of Representative Hunt, seconded by Representative Beard, the House adjourns to reconvene Monday, June 13, 1983 at 7:00 p.m.

ONE HUNDRED NINTH DAY

HOUSE OF REPRESENTATIVES
Monday, June 13, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Beard.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of June 10 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Helms and Fulcher for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Wright for the Committee on Judiciary No. 2:

H. B. 433, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A PARTITION OF THE REAL PROPERTY OF AN ABANDONED INCOMPETENT SPOUSE OWNED BY THE INCOMPETENT SPOUSE AND THE ABANDONING SPOUSE AS TENANTS BY THE ENTIRETIES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for June 15, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 434, A BILL TO BE ENTITLED AN ACT TO PROVIDE A STATUTORY SHORT FORM POWER OF ATTORNEY AND A DURABLE POWER OF ATTORNEY STATUTE AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for June 15, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 691, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PUNISHMENT FOR CHILD ABUSE SO IT MORE ACCURATELY REFLECTS THE SERIOUSNESS OF THE CIRME AND TO MAKE ANY SERIOUS PHYSICAL INJURY INFLICTED ON THE CHILD SUFFICIENT FOR CONVICTION, with an indefinite postponement report.

H. B. 1199, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE POSITION OF COUNTY COMMISSIONERS SERVING ON OTHER BOARDS WHOSE MEMBERS ARE APPOINTED BY THE BOARD OF COUNTY COMMISSIONERS, with a favorable report.

H. B. 1226, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE TIME WHEN MUNICIPAL ORDINANCES ARE INTRODUCED, with a favorable report, as amended.

H. B. 1228, A BILL TO BE ENTITLED AN ACT TO MAKE NOTICE PROVISIONS CONSISTENT IN ACTIONS FOR SUPPORT AND CUSTODY OF MINOR CHILDREN, with a favorable report.

S. B. 320, A BILL TO BE ENTITLED AN ACT TO ALLOW THE STATE TO TAKE A VOLUNTARY DISMISSAL WITH LEAVE WHEN A DEFENDANT IS FOUND INCAPABLE OF PROCEEDING, with an indefinite postponement report.

By Representative Mavretic for the Committee on Pensions and Retirement.

H. B. 170, A BILL TO BE ENTITLED AN ACT TO AMEND THE JUDICIAL RETIREMENT ACT, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title, and recommendation that the the substitute bill be re-referred to the Committee on Appropriations.

The substitute bill is re-referred to the Committee on Appropriations.

The original bill is placed on the Unfavorable Calendar.

S. B. 139, A BILL TO BE ENTITLED AN ACT TO ALLOW THE PURCHASE OF CREDITABLE SERVICE WITH THE STATE RETIREMENT SYSTEMS FOR LEAVES OF ABSENCE WHEN IN RECEIPT OF WORKERS' COMPENSATION, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Holt and Musselwhite:

H. B. 1269, A BILL TO BE ENTITLED AN ACT TO RAISE THE MINIMUM TAX THRESHOLD FOR FILING AN INTANGIBLES TAX RETURN AND FOR PAYING INTANGIBLES TAX ON MONEY ON DEPOSIT, is referred to the Committee on Finance.

By Representatives Fletcher, Allran, Ballance, Beall, Beam, Berry, Brubaker, DeVane, Bruce Ethridge, Hudson, Hunter, Lee, Mauney, Poovey, Rhodes, Roberts, and Slaughter:

H. B. 1270, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR STATE ASSUMPTION OF THE NONFEDERAL COST FOR PATIENTS IN INTERMEDIATE CARE FACILITIES FOR THE MENTALLY RETARDED, is referred to the Committee on Appropriations.

By Representative Fletcher:

H. B. 1271, A BILL TO BE ENTITLED AN ACT TO REVERT THE STATE AND COUNTY PARTICIPATION RATES IN SKILLED NURSING CARE, INTERMEDIATE CARE, AND REST HOME CARE TO THE PERCENTAGES IN EFFECT PRIOR TO JULY 1, 1978, is referred to the Committee on Appropriations.

By Representatives C. Woodard, Beam, Bowen, Childress, J. W. Crawford, DeVane, Economos, Jarrell, Jones, Lancaster, Womble, and Wright:

H. B. 1272, A BILL TO BE ENTITLED AN ACT TO REQUIRE NOTIFICATION OF DISTRICT ATTORNEYS BY THE PAROLE COMMISSION IN ALL CASES WHERE THE COMMISSION IS CONSIDERING PAROLE OF A PRISONER SENTENCED FOR EIGHTEEN MONTHS OR LONGER, is referred to the Committee on Judiciary No. 2.

By Representative Bruce Ethridge:

H. B. 1273, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE EARTH RESOURCES COUNCIL, THE TRIAD PARK COMMISSION, AND THE LAND CONSERVANCY CORPORATION, is referred to the Committee on Natural and Economic Resources.

By Representative Wright:

H. B. 1274, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CONTROL THE BEAVER POPULATION IN COLUMBUS COUNTY, is referred to the Committee on Appropriations.

By Representatives Chapin and Evans:

H. B. 1275, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO HYDE COUNTY FOR THE CONSTRUCTION OF A LOCAL CONFINEMENT FACILITY ON OCRACOKE ISLAND, is referred to the Committee on Appropriations.

By Representatives Womble, Beard, Brennan, Easterling, Edwards, Foster, Helms, Hunt, Hunter, Jones, Jordan, Lilley, McAlister, and Watkins:

H. B. 1277, A BILL TO BE ENTITLED AN ACT TO ALLOW THE NORTH

CAROLINA BAPTIST STATE CONVENTION TO PARTICIPATE IN ALL PLANNING AND ANNEXATION PLANS RELATING TO FORT CASWELL, is referred to the Committee on Local Government No. 2.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute No. 2 for H. B. 186, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 110 OF THE GENERAL STATUTES TO ESTABLISH PROCEDURES FOR THE PROVISION OF NONRECIPIENT SERVICES AS REQUIRED BY FEDERAL LAW, is returned for concurrence in Senate amendment and is placed on the Calendar for June 14, 1983.

H. B. 838, A BILL TO BE ENTITLED AN ACT TO ADD NONVIOLENT OFFENDERS IN THE TWENTY-ONE TO TWENTY-FOUR AGE GROUP TO THE COMMITTED YOUTHFUL OFFENDER LAW, is returned for concurrence in Senate amendment and is placed on the Calendar for June 14, 1983.

Senate Committee Substitute for H. B. 1042, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN FORECLOSURE SALES, is returned for concurrence in Senate committee substitute and is referred to the Committee on Judiciary No. 2.

Committee Substitute for S. B. 238, A BILL TO BE ENTITLED AN ACT TO CREATE THE PRIVATE PROTECTIVE SERVICES RECOVERY FUND, is read the first time and is referred to the Committee on Judiciary No. 4.

S. B. 470, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE LAW REGARDING CORNEAL TISSUE REMOVAL, is read the first time and is referred to the Committee on Health.

S. J. R. 562, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF FATE JAMES BEAL, is read the first time and is referred to the Committee on Rules and Operation of the House.

S. B. 565, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO PERMIT ENCROACHMENT OF AIRSPACE ABOVE HENRY STREET IN THE TOWN OF STONEVILLE FOR CONSTRUCTION OF A BRIDGE, is read the first time.

On motion of Representative McAlister, the rules are suspended, and the bill is placed before the House for immediate consideration.

The bill passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 36, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR FOUR-YEAR TERMS FOR MEMBERS OF THE UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, is read the first time and is referred to the Committee on Higher Education.

S. B. 373, A BILL TO BE ENTITLED AN ACT TO RETURN TO THE PRE-1981 EXEMPTIONS FROM THE ENFORCEMENT OF MONEY JUDGMENTS, is read the first time and is referred to the Committee on Judiciary No. 4.

S.B. 553, A BILL TO BE ENTITLED AN ACT SETTING STANDARDS FOR QUALIFICATION, TRAINING AND EXPERIENCE FOR PERSONS SEEKING TO REPRESENT THEMSELVES TO THE PUBLIC AS REGISTERED PRACTICING COUNSELORS: CREATING A STATE BOARD OF EXAMINERS FOR PRACTICING COUNSELORS: DEFINING THE FUNCTIONS AND DUTIES OF THAT BOARD: AND PROVIDING FOR PENALTIES, is read the first time and is referred to the Committee on State Government.

CALENDAR

Action is taken on the following:

H. B. 1092, A BILL TO BE ENTITLED AN ACT TO PROVIDE A GOOD SAMARITAN STATUTE FOR RURAL FIRE DEPARTMENTS.

On motion of Representative DeVane, the House concurs in the Senate amendments and the bill is ordered enrolled.

Committee Substitute House Joint Resolution for H. B. 602, A JOINT RESOLUTION URGING THE NEW HANOVER COUNTY BOARD OF EDUCATION TO STUDY THE ADVISABILITY OF LEGISLATION PROVIDING FOR NONPARTISAN ELECTIONS FOR THE NEW HANOVER COUNTY BOARD OF EDUCATION, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Barbee, Barnes, Beall, Beam, Beard, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bruce Ethridge, Fenner, Fletcher, Foster, Fussell, Gist, Grimsley, Hackney, Hasty, Hauser, Hightower, Holmes, Holt, Hudson, C. Hughes, Hunter, Huskins, Jarrell, Jones, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Locks, Lutz, McAlister, McDowell, Matthews, Mavretic, Miller, Murphy, Nash, Owens, Pool, Poovey, Pulley, Quinn, Redding, Rhodes, Roberts, Seymour, Slaughter, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 87.

Voting in the negative: None.

Excused absences: Representatives Fulcher and Helms — 2.

H. B. 640, A BILL TO BE ENTITLED AN ACT TO PROHIBIT DEER HUNTING WITH DOGS IN PART OF MOORE COUNTY.

The bill, as amended, passes its third reading, by electronic vote (91-0), and is ordered engrossed and sent to the Senate.

Committee Substitute for H. B. 278, A BILL TO BE ENTITLED THE TAX ADJUSTMENT ACT OF 1983.

Representative Church requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

Representative Miller offers Amendment No. 4 which is adopted by electronic vote (109-0).

Representative Cochrane offers Amendment No. 5.

On motion of Representative Quinn, seconded by Representative Bruce Ethridge, Amendment No. 5 is tabled by electronic vote (90-21).

Representative Quinn calls the previous question on the passage of the bill.

Representative Brawley moves that the call for the previous question be postponed indefinitely.

On motion of Representative Hunt, seconded by Representative Anderson, the motion to postpone indefinitely the call for the previous question is tabled by electronic vote (94-18).

The motion to call the previous question on the passage of the bill is sustained by electronic vote (91-21).

Now the question before the House is the passage of the bill on its third reading.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Black, Blue, Bowen, Brannan, Brennan, Bumgardner, Chapin, Childress, Clark, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holt, Hudson, Hunt, Hunter, Huskins, James, Jarrell, Jones, Kennedy, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Pulley, Quinn, Rabon, Roberts, Seymour, Slaughter, Spaulding, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 94.

Voting in the negative: Representatives Allran, Brawley, Brown, Brubaker, Burnley, Coble, Cochrane, Holmes, C. Hughes, J. Hughes, Jordan, Keesee, Lacey, Ligon, Poovey, Redding, Rhodes, and Spoon — 18.

Excused absences: Representatives Fulcher and Helms — 2.

Excused votes: Representative Church.

Committee Substitute for S. B. 259, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 20-7.1 RELATING TO CHANGE OF ADDRESS ON OPERATOR'S LICENSE, LEARNER'S PERMITS AND SPECIAL IDENTIFICATION CARDS, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Black, Blue, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holmes, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Rabon, Redding, Rhodes, Roberts, Seymour, Slaughter, Spaulding, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Womble, B. Woodard, C. Woodard, and Wright — 107.

Voting in the negative: Representative Spoon.

Excused absences: Representatives Fulcher and Helms — 2.

H. B. 79, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REGULATION OF HAZARDOUS WASTE AND PCB LANDFILLS.

On motion of Representative Ballance, consideration of the bill is postponed until June 14, 1983.

H. B. 1213, A BILL TO BE ENTITLED AN ACT TO PREVENT THE USE OF ARTIFICIAL LIGHTS IN TAKING DEPREDATING DEER.

On motion of Representative Lambeth, consideration of the bill is postponed until June 15, 1983.

H. B. 1198, A BILL TO BE ENTITLED AN ACT TO REGULATE THE TAKING OF EXOTIC SPECIES OF WILD ANIMALS AND BIRDS OR SPECIES NOT INDIGENOUS TO THE AREA.

On motion of Representative Lambeth, consideration of the bill is postponed until June 15, 1983.

H. B. 1009, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 58-79(a) PERTAINING TO LIFE INSURANCE COMPANY INVESTMENTS IN FUTURES CONTRACTS, passes its third reading, by electronic vote (103-0), and is ordered sent to the Senate.

Committee Substitute for S. B. 279, A BILL TO BE ENTITLED AN ACT TO PROHIBIT DISCRIMINATION IN HOUSING, passes its third reading, by electronic vote (96-2), and is ordered enrolled.

Committee Substitute for H. B. 879, A BILL TO BE ENTITLED AN ACT ESTABLISHING MANDATORY MEDIATION OF CHILD CUSTODY AND VISITATION DISPUTES, passes its second reading, by electronic vote (86-9).

Representative Hackney objects to the third reading. The bill remains on the Calendar.

H. B. 1231, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 136-44.20 TO PROVIDE FOR MATCHING FUNDS FOR INTER-CITY RAIL AND BUS PASSENGER SERVICE, passes its second reading, by electronic vote (92-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 658, A BILL TO BE ENTITLED AN ACT TO PROTECT RENTERS OF APARTMENT BUILDINGS BEING CONVERTED TO CONDOMINIUMS.

Representative Barker requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill passes its second reading, by electronic vote (94-12), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 1050, A BILL TO BE ENTITLED AN ACT CREATING A COMMITTEE FOR A COMPREHENSIVE STUDY OF THE PROPERTY TAX SYSTEM IN NORTH CAROLINA, passes its second reading, by electronic vote (103-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 1177, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF ADMINISTRATION TO PUBLISH A NORTH CAROLINA PURCHASE REGISTRY.

On motion of Representative Nesbitt, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 1111, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE ATTORNEYS' FEES AWARD IN CERTAIN CASES, passes its second reading, by electronic vote (111-0), and there being no objection is read a third time.

The bill passes its third reading an is ordered sent to the Senate.

H. B. 1167, A BILL TO BE ENTITLED AN ACT SETTING A TIME LIMIT FOR FILING THE FINAL AFFIDAVIT FOR ADMINISTRATION OF A SMALL ESTATE.

On motion of the Chair, consideration of the bill is postponed until June 14, 1983.

House Committee Substitute for Senate Committee Substitute for S. B. 402, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN REVISIONS AND ADDITIONS TO THE CREDIT UNION LAW, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

S. B. 372, A BILL TO BE ENTITLED AN ACT TO ASSURE THAT IF THE WESTERN RESIDENCE OF THE GOVERNOR IN ASHEVILLE IS DAMAGED OR DESTROYED, IT WILL BE REPAIRED, passes its second reading by electronic vote (104-8).

Representative Hightower offers Amendment No. 1 which is adopted by electronic vote (111-1).

On motion of Representative Watkins, consideration of the bill is postponed until June 14, 1983.

S. B. 513, A BILL TO BE ENTITLED AN ACT TO ESTABLISH UNIQUE AND RELEVANT EDUCATION AND TRAINING STANDARDS FOR SHERIFFS, THEIR DEPUTIES, AND OTHER PERSONNEL.

Representative Wicker offers Amendment No. 1 which is adopted.

Representative DeVane moves that the bill be re-referred to the Committee on Judiciary No. 2.

On motion of Representative Wicker, seconded by Representative Watkins, the motion to re-refer the bill is tabled by electronic vote (69-43).

Representative Wicker calls the previous question on the passage of the bill and the call is sustained by electronic vote (102-10).

The bill, as amended, passes its second reading by electronic vote (95-19).

Representative Jordan objects to the third reading. The bill remains on the Calendar.

On motion of Representative Hunt, H. J. R. 1169, A JOINT RESOLUTION TO CREATE A STUDY COMMISSSION TO EXAMINE ALTERNATIVES FOR INCREASING PUBLIC AWARENESS OF THE IMPORTANCE OF AGRICULTURE, FORESTRY, AND SEAFOOD IN NORTH CAROLINA, is withdrawn from the Committee on Rules and Operation of the House and is re-referred to the Committee on Agriculture.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 13, 1983

Mr. Speaker:

Pursuant to your message that the House of Representatives fails to concur in the Senate Committee Substitute for H. B. 413, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE EQUITABLE DISTRIBUTION ACT, and requests conferees, the President appoints Senators Jenkins, Marvin, Swain, Henson Barnes, and Duncan on the part of the Senate to confer with a like committee on the part of the House to the end that the differences between the two Bodies may be resolved.

Respectfully,
S/ SYLVIA M. FINK
Principal Clerk

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H.B. 72, AN ACT TO PERMIT TRUSTEES OF THE RAEFORD FIREMEN'S RELIEF FUND TO PAY FIREMEN'S CONTRIBUTIONS TO THE FIREMEN'S AND RESCUE SQUAD WORKERS' PENSION FUND.

H. B. 76, AN ACT TO AMEND THE LAW RELATING TO THE KANNAPOLIS FIREMEN'S SUPPLEMENTAL RETIREMENT FUND.

H. B. 97, AN ACT TO MAKE CERTAIN CHANGES IN THE ROCKY MOUNT SUPPLEMENTAL RETIREMENT FUND FOR FIREMEN.

H. B. 156, AN ACT TO RESTORE LANGUAGE REQUIRING LICENSING BOARDS AND ASSOCIATIONS TO PAY FOR HEALTH INSURANCE BENEFITS.

H. B. 237, AN ACT TO ALLOW A RESCUE SQUAD WORKER ELIGIBLE FOR MEMBERSHIP IN THE NORTH CAROLINA FIREMEN'S AND RESCUE SQUAD WORKER'S PENSION FUND TO PURCHASE AS MANY AS TWO HUNDRED AND FORTY MONTHS OF PRIOR SERVICE, ON OR BEFORE DECEMBER 31, 1983.

H. B. 330, AN ACT TO PROVIDE A SUPPLEMENTAL RETIREMENT FUND FOR FIREMEN IN THE TOWN OF VALDESE, AND TO MODIFY THE APPLICATION OF G. S. 118-5, G. S. 118-6, AND G. S. 118-7 TO THE TOWN OF VALDESE.

H. B. 443, AN ACT TO EXTINGUISH CERTAIN ANCIENT MINERAL CLAIMS.

H. B. 497, AN ACT TO AMEND CHAPTER 363 OF THE 1969 SESSION LAWS CONCERNING THE SUPPLEMENTAL RETIREMENT FUND FOR FIREMEN IN THE CITY OF NEWTON.

H. B. 586, AN ACT TO AMEND CHAPTER 26 OF THE PRIVATE LAWS OF 1937, AS AMENDED, TO PROVIDE THAT THE FIREMEN'S PENSION FUND OF WILMINGTON SHALL BE ADMINISTERED BY THE PENSION BOARD OF THE CITY OF WILMINGTON.

H. B. 587, AN ACT TO PROVIDE A FIREMEN'S BENEFIT FUND FOR FIREMEN IN THE CITY OF WILMINGTON AND TO MODIFY THE APPLICATION OF G. S. 118-5, G. S. 118-6, AND G. S. 118-7 TO THE CITY OF WILMINGTON.

H. B. 729, AN ACT TO TAX-SHELTER CONTRIBUTIONS TO THE CHARLOTTE FIREMEN'S RETIREMENT SYSTEM PURSUANT TO SECTION 414(h)(2) OF THE INTERNAL REVENUE CODE AND THEREBY INCREASE THE TAKE-HOME PAY OF EMPLOYEES OF THE FIRE DEPARTMENT OF THE CITY OF CHARLOTTE.

H. B. 943, AN ACT TO PROHIBIT THE CONTAMINATION OR ADULTERATION OR OTHER INTENTIONAL TAMPERING WITH THE PUBLIC WATER SYSTEM.

H. B. 989, AN ACT TO MAKE UNLAWFUL THE UNAUTHORIZED RECONNECTION OF A LAWFULLY DISCONNECTED UTILITY.

H. B. 965, AN ACT MAKING TECHNICAL AMENDMENTS TO THE PRIVATE PLACEMENT EXEMPTION FOR SECURITIES OFFERINGS AND ALLOWING THE SECRETARY OF STATE TO ESTABLISH LIMITED OFFERING EXEMPTIONS.

H. B. 999, AN ACT TO CLARIFY THE SALES AND USE TAX TREATMENT OF CERTAIN COMPUTER PROGRAMS USED BY TELEPHONE COMPANIES.

H. B. 1049, AN ACT TO ALLOW CITIES AND COUNTIES TO LEVY PROPERTY TAXES FOR INDUSTRIAL DEVELOPMENT AND ECONOMIC DEVELOPMENT.

H. B. 1066, AN ACT TO CORRECT OBSOLETE REFERENCES IN THE TERMINATION OF PARENTAL RIGHTS LAW.

H. B. 1077, AN ACT TO SET FORTH THE PROCEDURE TO SUPPRESS A PRIOR CONVICTION OBTAINED IN VIOLATION OF THE RIGHT TO COUNSEL.

S. B. 385, AN ACT TO INCORPORATE THE VILLAGE OF MARVIN IN UNION COUNTY.

S. B. 91, AN ACT TO PROVIDE THAT ALL OCCUPATIONAL LICENSING BOARDS MAY RECEIVE THE INTEREST ON FUNDS DEPOSITED BY THEM WITH THE STATE TREASURER FOR INVESTMENT.

S. B. 289, AN ACT DESIGNATING THE OFFICE OF STATE PERSONNEL AND THE STATE PERSONNEL COMMISSION AS THE DEFERRAL AGENCY FOR EEOC COMPLAINTS.

H. B. 949, AN ACT TO AMEND G. S. 14-269.1 CONCERNING DISPOSITION OF DEADLY WEAPONS.

S. B. 266, AN ACT TO CLARIFY AND SIMPLIFY THE COASTAL AREA MANAGEMENT ACT.

S. B. 418, AN ACT TO AMEND THE LAW REGARDING THE USE OF PUBLIC BUILDINGS TO REFLECT THAT POLITICAL PARTIES NOW HOLD ANNUAL MEETINGS, AND TO RESTRICT USE ONLY IF IT INTERFERES WITH SCHOOL FUNCTIONS AND ACTIVITIES.

S. J. R. 215, A JOINT RESOLUTION URGING CONGRESS TO OPPOSE THE SALE OF ANY NATIONAL FOREST SERVICE LAND IN NORTH CAROLINA.

On motion of Representative Hunt, seconded by Representative Edwards, the House adjourns to reconvene June 14, 1983 at 1:30 p.m.

ONE HUNDRED TENTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, June 14, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Brown.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of June 13 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives James and C. Woodard for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Pulley for the Committee on Judiciary No. 4:

Senate Committee Substitute for H. B. 711, A BILL TO BE ENTITLED AN ACT TO SPECIFICALLY INCLUDE MONEY USED IN DRUG DEALING AS PROPERTY SUBJECT TO FORFEITURE UNDER THE CONTROLLED SUBSTANCES ACT, with recommendation that the House concur.

On motion of Representative Pulley, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Pulley, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

Senate Committee Substitute No. 2 for House Committee Substitute for H. B. 723, A BILL TO BE ENTITLED AN ACT TO SPECIFY WHEN A PROCESSING FEE MAY BE CHARGED FOR CHECKS SENT BY MAIL AND WHEN A COLLECTION AGENCY MAY COLLECT A PROCESING FEE FOR RETURNED CHECKS, with recommendation that the House concur.

On motion of Representative Pulley, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Pulley, the House concurs in Senate Committee Substitute No. 2 and the bill is ordered enrolled.

H. B. 961, A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL FOR ANY PERSON TO BE INTOXICATED ON ANY HIGHWAY, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for June 16, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Quinn for the Committee on Finance:

H. B. 204, A BILL TO BE ENTITLED AN ACT TO AMEND THE MACHINERY ACT, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for June 16, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 206, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE LISTING OF REAL AND PERSONAL PROPERTY IN TIME-SHARING ARRANGEMENTS, with a favorable report, as amended.

H. B. 541, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCOME TAX CREDIT FOR THE PURCHASE OF CONSERVATION TILLAGE EQUIPMENT FOR AGRICULTURE AND FORESTRY, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for June 16, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 909, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE V OF THE CONSTITUTION OF NORTH CAROLINA TO AUTHORIZE THE GENERAL ASSEMBLY TO CREATE AN AGENCY TO ISSUE REVENUE BONDS TO FINANCE AGRICULTURAL FACILITIES PROJECTS, SUBJECT TO THE APPROVAL OF THE ELECTORATE, with a favorable report.

Committee Substitute for H. B. 910, A BILL TO BE ENTITLED AN ACT CREATING THE NORTH CAROLINA AGRICULTURAL FACILITIES FINANCE AGENCY AND AUTHORIZING SAID AGENCY TO FINANCE THE CONSTRUCTION, ACQUISITION AND DEVELOPMENT OF AGRICULTURAL FACILITIES, with a favorable report.

H. B. 1139, A BILL TO BE ENTITLED AN ACT SETTING THE DISTRIBUTION OF PROFITS FROM THE SALES OF BEER AND WINE IN TOWNSHIPS, with a favorable report.

H. B. 1222, A BILL TO BE ENTITLED AN ACT TO ALLOW COUNTY SERVICE DISTRICTS ESTABLISHED FOR FIRE PROTECTION PURPOSES TO ALSO FURNISH EMERGENCY MEDICAL, RESCUE AND AMBULANCE SERVICES, with a favorable report.

House Committee Substitute for Senate Committee Substitute for S. B. 357, A BILL TO BE ENTITLED AN ACT TO REVISE THE LICENSE PROVISIONS PERTAINING TO MARINE FISHERIES AND TO REPEAL THE SEAFOOD TAX, with a favorable report.

S. B. 411, A BILL TO BE ENTITLED AN ACT TO PERMIT THE ISSUANCE OF REVENUE BONDS AND REVENUE NOTES BY THE STATE OF NORTH CAROLINA AND AGENCIES THEREOF AS HEREINAFTER AUTHORIZED BY THE GENERAL ASSEMBLY, with a favorable report.

By Representative Church for the Committee on State Government:

H. B. 1229, A BILL TO BE ENTITLED AN ACT TO EXEMPT MAKE-UP ARTISTS FROM THE DEFINITION OF COSMETOLOGIST, with a favorable report.

H. B. 1155, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF ELECTRICAL CONTRACTING, with a favorable report, as amended.

By Representative Foster for the Committee on Education:

H. B. 1206, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE USE OF SCHOOL BUSES IN BRUNSWICK COUNTY, with a favorable report.

H. B. 1162, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE RESPONSIBILITY OF THE STATE BOARD OF EDUCATION FOR THE STATE'S SCHOOL TRANSPORTATION SYSTEM, with a favorable report.

S. B. 507, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING THE OPENING OF TEXTBOOK BIDS AND TO REQUIRE LOCAL SCHOOL BOARDS TO REMIT TEXTBOOK FEES TO THE STATE BOARD ON AN ANNUAL BASIS, with a favorable report.

By Representative Miller for the Committee on Judiciary No. 1:

H. B. 1144, A BILL TO BE ENTITLED AN ACT TO ABOLISH ALL GROUNDS FOR ABSOLUTE DIVORCE EXCEPT SEPARATION, with a favorable report.

By Representative Lancaster for the Committee on Judiciary No. 3:

H. B. 732, A BILL TO BE ENTITLED AN ACT TO PHASE IN A STATEWIDE GUARDIAN AD LITEM PROGRAM FOR CHILD ABUSE AND NEGLECT CASES, with an unfavorable report as to bill, favorable as to committee substitute bill, and recommendation that the substitute bill be re-referred to the Committee on Appropriations.

The substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

H. B. 1192, A BILL TO BE ENTITLED AN ACT TO REQUIRE A CONFERENCE ON JURY INSTRUCTIONS, with a favorable report, as amended.

H. B. 1260, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CONFORMING CHANGES IN THE RAPE INDICTMENT STATUTE AS A RESULT OF CHAPTER 175 OF THE SESSION LAWS OF 1983, with a favorable report.

By Representative Hightower for the Committee on Insurance:

H. B. 925, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 58-43 RELATING TO NONRESIDENT AGENTS, with a favorable report.

By Representative Helms for the Committee on Courts and Administration of Justice:

H. B. 1016, A BILL TO BE ENTITLED AN ACT TO AMEND THE SUBPOENA LAW RELATING TO MEDICAL RECORDS, with a favorable report, as amended.

H. B. 1127, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 143B-417 TO PROVIDE THAT THE JUSTICES OF THE SUPREME COURT AND JUDGES OF THE COURT OF APPEALS BE INCLUDED AMONG THE OFFICES TO WHICH STUDENT INTERNS MAY BE ASSIGNED, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for June 16, 1983. The original bill is placed on the Unfavorable Calendar.

On motion of Representative Chapin, S. B. 511, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE REVIEW BY THE MARINE FISHERIES COMMISSION OF PROCLAMATIONS ISSUED BY THE SECRETARY OF THE NORTH CAROLINA DEPARTMENT OF NATURAL RESOURCES AND COMMUNITY DEVELOPMENT, is withdrawn from the Committee on Natural and Economic Resources and is re-referred to the Committee on Commercial Fishing.

On motion of Representative Chapin, S. B. 525, A BILL TO BE ENTITLED AN ACT TO ALLOW AREAS CLOSED FOR REASONS OF POLLUTION BY THE DIVISION OF MARINE FISHERIES TO BE REOPENED MORE QUICKLY, is withdrawn from the Committee on Natural and Economic Resources and is re-referred to the Committee on Commercial Fishing.

SUSPENSION OF RULES TO INTRODUCE LOCAL BILL

On motion of Representative Watkins, Rule 31.1 is suspended by a two-thirds majority vote in order for a local bill to be filed.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Jarrell and Burnley:

H. B. 1278, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS FOR AN EDUCATIONAL BUILDING AT THE HIGH POINT ENVIRONMENTAL CENTER, is referred to the Committee on Appropriations.

By Representatives Blue, Hauser, and Seymour:

H. B. 1279, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 157 OF THE GENERAL STATUTES RELATING TO HOUSING AUTHORITIES, is referred to the Committee on Housing.

By Representative Foster:

H. B. 1280, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR EDUCATIONAL SERVICES FOR EXCEPTIONAL CHILDREN IN DEVELOPMENTAL DAY CENTERS AND COMMUNITY RESIDENTIAL CENTERS, is referred to the Committee on Appropriations.

By Representatives Foster, Brennan, Burnley, Easterling, and Hauser:

H. B. 1281, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR MORE EFFECTIVE TEACHING OF OUR HERITAGE CITIZENSHIP, THE LEGAL SYSTEM AND FREE ENTERPRISE CONCEPTS IN THE PUBLIC SCHOOLS, is referred to the Committee on Appropriations.

By Representative Bob Etheridge:

H. J. R. 1282, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE NEEDS FOR THE DEVELOPMENT OF BIOTECHNOLOGY IN NORTH CAROLINA, is referred to the Committee on Rules and Operation of the House.

By Representative Lancaster:

H. B. 1283, A BILL TO BE ENTITLED AN ACT TO PROHIBIT CITIES FROM REQUIRING DEDICATION OF WATER SYSTEMS AS PART OF SUBDIVISION REGULATIONS APPLICABLE TO AREAS OUTSIDE OF THE CITY LIMITS, is referred to the Committee on Judiciary No. 3.

By Representatives Barnes and Hackney:

H. B. 1284, A BILL TO BE ENTITLED AN ACT AUTHORIZING REGISTERS OF DEEDS TO MAINTAIN COMPUTER INDEXES, is referred to the Committee on Judiciary No. 1.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for H. B. 551, A BILL TO BE ENTITLED AN ACT AMENDING THE COUNTY HOSPITAL ACT TO AUTHORIZE A COUNTY HOSPITAL TO ESTABLISH AND OPERATE BRANCH FACILITIES IN OTHER COUNTIES, is returned for concurrence in Senate committee substitute and is referred to the Committee on Health.

H. B. 554, A BILL TO BE ENTITLED AN ACT PERTAINING TO INSURANCE AND REGULATION OF HAZARDOUS WASTE LANDFILL FACILITIES, is returned for concurrence in Senate amendment and is placed on the Calendar for June 15, 1983.

Senate Committee Substitute for H. B. 681, A BILL TO BE ENTITLED AN ACT TO ALLOW THE PAROLE COMMISSION TO DENY REENTRY PAROLE TO CERTAIN OFFENDERS, is returned for concurrence in Senate committee substitute and is referred to the Committee on Corrections.

H. B. 690, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE RETURN OF PATIENTS TO TREATMENT FACILITIES, is returned for concurrence in Senate amendment and is placed on the Calendar for June 15, 1983.

Committee Substitute for S. B. 230, A BILL TO BE ENTITLED AN ACT TO AMEND THE BUNCOMBE SCHOOL CAPITAL FUND COMMISSION ACT, is read the first time.

On motion of Representative Greenwood, the rules are suspended, and the bill is placed before the House for immediate consideration.

The bill passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for S. B. 467, A BILL TO BE ENTITLED AN ACT TO INCREASE THE EDUCATIONAL REQUIREMENTS TO QUALIFY FOR LICENSURE AS A PROPERTY AND CASUALTY AGENT, is read the first time and is referred to the Committee on Insurance.

S. B. 508, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATE TREASURER'S INVESTMENT AUTHORITY AND TO ENHANCE THE MANAGEMENT OF THE TRUST FUND INVESTMENT PROGRAM, is read the first time and is referred to the Committee on State Government.

S. B. 566, A BILL TO BE ENTITLED AN ACT TO GRANT TO GASOHOL A FIVE CENT PARTIAL EXEMPTION FROM THE GASOLINE AND SPECIAL FUELS TAX, is read the first time and is referred to the Committee on Finance.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 14, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body that pursuant to H. J. R. 1154, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE HOUSE OF REPRESENTATIVES AND THE SENATE TO ACT ON CONFIRMATION OF APPOINTMENTS MADE BY THE GOVERNOR TO THE STATE PERSONNEL COMMISSION, the Senate stands ready to repair to the Hall of the House, there to sit in Joint Session with your Honorable Body.

Respectfully
S/ SYLVIA M. FINK
Principal Clerk

The Speaker orders a message sent to the Senate informing that Honorable Body that the House of Representatives stands ready to receive them in Joint Session at the hour appointed.

JOINT SESSION

Pursuant to resolution heretofore adopted, and exchange of messages, the Sergeant-at-Arms of the House of Representatives announces the arrival of the Senate at the door of the House. The Speaker directs the admittance and seating of that Honorable Body. The President of the Senate, the Honorable James C. Green, is seated to the right of the Speaker and is presented the gavel.

The Joint Session is called to order by the President.

The President calls for a quorum call of the House and Senate prior to confirmation of the State Personnel Commission nominees.

The President instructs the Reading Clerk of the Senate to call the roll and the following Senators answer present: Senators Allsbrook, Ballenger, H. Barnes, R. Barnes, Childers, Daniels, Davis, Duncan, E. Edwards, J. Edwards, Gray, Guy, Hancock, Hardison, Harrington, O. Harris, Hipps, Hunt, Jenkins, Johnson, Jordan, Kincaid, Lawing, Marion, Martin, Marvin, Parnell, Plyler, Rand, Redman, Royall, Soles, Speed, Staton, Swain, Tally, R. Thomas, Tison, Walker, Ward, Warren, White, Winner, Woodard, and Wright — 45.

The President calls for a quorum call of the House of Representatives to be taken electronically and the following Representatives are recorded as present: Speaker Ramsey, Representatives Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J.

W. Crawford, N. J. Crawford, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Nash, Nesbitt, Owens, Payne, Poovey, Pulley, Quinn, Redding, Rhodes, Roberts, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Varner, Warren, Wicker, Womble, B. Woodard, and Wright — 106.

Excused absences: Representatives Chapin, James and C. Woodard — 3.

The following letter from his Excellency, the Governor of North Carolina, is read by the Senate Reading Clerk:

May 23, 1983

The Honorable James C. Green
President of the Senate

The Honorable Liston B. Ramsey
Speaker of the House of Representatives
Legislative Building
Raleigh, North Carolina

Re: State Personnel Commission

Dear Sirs:

Pursuant to G. S. 126-2, I am submitting to the House of Representatives, and to the Senate, the names of the persons listed below whom I have recommended for reappointment to the State Personnel Commission. Their terms will be effective July 1, 1983, and will expire June 30, 1989.

Dr. Stephen Thomas
627 Rauhut Street
Burlington, North Carolina 27215
(Representative of Business or Industry)

Ms. Leonora L. Carawan
2405 Holloway Terrace
Raleigh, North Carolina 27608
(At Large Member)

Ms. Polly W. Brewer
2809 Remington Street
Charlotte, North Carolina 28216
(Representative of Business or Industry)

My warmest personal regards.

Sincerely,
S/ James B. Hunt, Jr.

Senator Staton, Chairman of the Senate Committee on State Government, and Representative Jordan, Chairman of the House Committee on State Personnel, send forth the following report:

June 8, 1983

The Honorable James C. Green
Lieutenant Governor of North Carolina
State Legislative Building
Raleigh, North Carolina

The Honorable Liston B. Ramsey
Speaker of the House of Representatives
Raleigh, North Carolina 27611

Dear Sirs:

Pursuant to General Statutes 126-2 and at your request, the Senate Committee on State Government and the House Committee on State Personnel, having met, recommend approval of the following candidates to serve on the State Personnel Commission effective July 1, 1983, and expiring June 30, 1989:

Dr. Stephen Thomas
Ms. Leonora L. Carawan
Ms. Polly W. Brewer

The nominees were unanimously approved by those in attendance at the meeting of the Senate Committee on State Government and the House Committee on State Personnel.

Respectfully submitted,
S/ WILLIAM W. STATON
Co-Chairman, Senate Committee on State Government
S/ JOHN M. JORDAN
Chairman, House State Personnel Committee

Senator Staton moves that the nominations of Dr. Stephen Thomas, Ms. Leonora L. Carawan, and Ms. Polly W. Brewer be confirmed by the Senate.

The nominations of Dr. Stephen Thomas, Ms. Leonora L. Carawan, and Ms. Polly W. Brewer are confirmed by the Senate by the following vote:

Those voting in the affirmative are: Senators Alford, Allsbrook, Ballenger, H. Barnes, R. Barnes, Childers, Daniels, Davis, Duncan, E. Edwards, J. Edwards, Gray, Guy, Hancock, Hardison, Harrington, O. Harris, Hipps, Hunt, Jenkins, Johnson, Jordan, Kincaid, Lawing, Marion, Martin, Marvin, Parnell, Plyler, Rand, Rauch, Redman, Royall, Soles, Speed, Staton, Swain, Tally, R. Thomas, Tison, Walker, Ward, Warren, White, Winner, Woodard, and Wright — 47.

Representative Jordan moves that the nominations of Dr. Stephen Thomas, Ms. Leonora L. Carawan, and Ms. Polly W. Brewer be confirmed by the House of Representatives.

The nominations of Dr. Stephen Thomas, Ms. Leonora L. Carawan, and Ms. Polly W. Brewer are confirmed by the House of Representatives by the following vote:

Those voting in the affirmative are: Speaker Ramsey, Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Nash, Nesbitt, Owens, Payne, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Varner, Warren, Wicker, Womble, B. Woodard, and Wright — 111.

Voting in the negative: None.

Excused absences: Representatives Chapin, James, and C. Woodard — 3.

The President declares that the General Assembly has confirmed the nominations of Dr. Stephen Thomas, Ms. Leonora L. Carawan, and Ms. Polly W. Brewer to the State Personnel Commission and directs that notification be sent to the Governor of this action.

On motion of Senator Lawing, the Joint Session is dissolved and the Senate returns to the Senate Chamber.

The House resumes its business.

CALENDAR

Action is taken on the following:

Committee Substitute No. 2 for H. B. 186, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 110 OF THE GENERAL STATUTES TO ESTABLISH PROCEDURES FOR THE PROVISION OF NONRECIPIENT SERVICES AS REQUIRED BY FEDERAL LAW.

On motion of Representative Brannan, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 838, A BILL TO BE ENTITLED AN ACT TO ADD NONVIOLENT OFFENDERS IN THE TWENTY-ONE TO TWENTY-FOUR AGE GROUP TO THE COMMITTED YOUTHFUL OFFENDER LAW.

On motion of Representative Hackney, the House concurs in the Senate amendment and the bill is ordered enrolled.

Committee Substitute for H. B. 521, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING FROM ROADS AND TO PROHIBIT HUNTING ON THE LANDS OF ANOTHER WITHOUT THE CONSENT OF THE LANDOWNER IN PARTS OF MARTIN COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 879, A BILL TO BE ENTITLED AN ACT ESTABLISHING MANDATORY MEDIATION OF CHILD CUSTODY AND VISITATION DISPUTES, passes its third reading, by electronic vote (100-5), and is ordered sent to the Senate.

H. B. 79, A BILL TO BE ENTITLED AN ACT TO MODIFY THE REGULATION OF HAZARDOUS WASTE AND PCB LANDFILLS.

On motion of Representative Nesbitt, the vote by which Amendment No. 2 was adopted is reconsidered, by electronic vote (105-0), and the amendment is returned to Representative Nesbitt.

The bill, as amended, passes its third reading, by electronic vote (107-0), and is ordered engrossed and sent to the Senate.

S. B. 372, A BILL TO BE ENTITLED AN ACT TO ASSURE THAT IF THE WESTERN RESIDENCE OF THE GOVERNOR IN ASHEVILLE IS DAMAGED OR DESTROYED, IT WILL BE REPAIRED.

On motion of Representative Miller, consideration of the bill is postponed until June 16, 1983.

S.B. 513, A BILLTO BE ENTITLED AN ACT TO ESTABLISH UNIQUE AND RELEVANT EDUCATION AND TRAINING STANDARDS FOR SHERIFFS, THEIR DEPUTIES, AND OTHER PERSONNEL.

The bill, as amended, passes its third reading, by electronic vote (101-6), and is ordered sent to the Senate for concurrence in House amendment.

H. B. 48, A BILL TO BE ENTITLED AN ACT TO ELIMINATE MANDATORY RETIREMENT AT AGE 70 FOR PERSONS COVERED UNDER THE STATE EMPLOYEES OR LOCAL GOVERNMENT EMPLOYEES RETIREMENT SYSTEM.

On motion of Representative Economos, Committee Amendment No. 1 is adopted.

On motion of Representative Economos, the bill is ordered engrossed and re-referred to the Committee on Pensions and Retirement.

Committee Substitute for H. B. 567, A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES 14-107 TO MANDATE RESTITUTION FOR WORTHLESS CHECKS THROUGH COMMUNITY SERVICE WORK, IF NEEDED.

On motion of Representative Mauney, consideration of the bill is postponed until June 16, 1983.

Committee Substitute for H. B. 63, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO CONTINUE ITS STUDY OF INSURANCE REGULATION.

On motion of Representative Hightower, the bill is re-referred to the Committee on Appropriations by electronic vote (77-25).

Committee Substitute for H. B. 717, A BILL TO BE ENTITLED AN ACT TO RAISE THE PENALTIES FOR TAX EVASION, passes its second reading, by electronic vote (100-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 1167, A BILL TO BE ENTITLED AN ACT SETTING A TIME LIMIT FOR FILING THE FINAL AFFIDAVIT FOR ADMINISTRATION OF A SMALL ESTATE, passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 1199, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE POSITION OF COUNTY COMMISSIONERS SERVING ON OTHER BOARDS WHOSE MEMBERS ARE APPOINTED BY THE BOARD OF COUNTY COMMISSIONERS, passes its second reading by electronic vote (98-1).

On motion of Representative Nesbitt, the third reading is postponed until June 16, 1983.

H. B. 1226, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE TIME WHEN MUNICIPAL ORDINANCES ARE INTRODUCED.

On motion of Representative Wright, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 1228, A BILL TO BE ENTITLED AN ACT TO MAKE NOTICE PROVISIONS CONSISTENT IN ACTIONS FOR SUPPORT AND CUSTODY OF MINOR CHILDREN.

Representative Wright offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (107-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

S. B. 139, A BILL TO BE ENTITLED AN ACT TO ALLOW THE PURCHASE OF CREDITABLE SERVICE WITH THE STATE RETIREMENT SYSTEMS FOR LEAVES OF ABSENCE WHEN IN RECEIPT OF WORKERS' COMPENSATION, passes its second reading, by electronic vote (103-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 1092, AN ACT TO PROVIDE A GOOD SAMARITAN STATUTE FOR RURAL FIRE DEPARTMENTS.

S.B. 259, AN ACT TO AMEND G. S. 20-7.1 RELATING TO CHANGE OF ADDRESS ON OPERATOR'S LICENSE, LEARNER'S PERMITS AND SPECIAL IDENTIFICATION CARDS.

S. B. 279, AN ACT TO PROHIBIT DISCRIMINATION IN HOUSING.

S. B. 422, AN ACT CONCERNING FEES RELATING TO THE PRACTICE OF COSMETIC ART.

S. B. 565, AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO PERMIT ENCROACHMENT OF AIRSPACE ABOVE HENRY STREET IN THE TOWN OF STONEVILLE FOR CONSTRUCTION OF A BRIDGE.

On motion of Representative Hunt, seconded by Representative Hunter, the House adjourns to reconvene June 15, 1983 at 1:30 p.m.

ONE HUNDRED ELEVENTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, June 15, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Womble.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of June 14 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Church, Edwards, and C. Woodard for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative B. Woodard for the Committee on Health:

H. B. 1191, A BILL TO BE ENTITLED AN ACT TO EXEMPT BED AND BREAKFAST ESTABLISHMENTS FROM THE FOOD AND LODGING REQUIREMENTS, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for June 17, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 1212, A BILL TO BE ENTITLED AN ACT TO PERMIT CERTAIN DOGS IN INNS AND HOTELS, with a favorable report.

By Representative Lutz for the Committee on Local Government No. 2:

H. B. 346, A BILL TO BE ENTITLED AN ACT TO SET LIMITS ON THE OPENING DATE FOR PUBLIC SCHOOLS, with an indefinite postponement report.

H. B. 459, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 1266, 1981 SESSION LAWS, WHICH AMENDED THE BOATING SAFETY ACT, TO INCLUDE GASTON COUNTY, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for June 17, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 620, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF SOUTHPORT AND TO REPEAL PRIOR LOCAL ACTS, with a favorable report, as amended.

H. B. 644, A BILL TO BE ENTITLED AN ACT TO ALLOW GASTON COUNTY TO REGULATE VEHICLE TOWING BUSINESSES WITHIN THE UNINCORPORATED AREAS OF GASTON COUNTY, with a favorable report, as amended.

H. B. 1249, A BILL TO BE ENTITLED AN ACT TO INCLUDE TWO SATELLITE AREAS WITHIN THE CORPORATE LIMITS OF THE TOWN OF BAKERSVILLE, with a favorable report.

H. B. 1277, A BILL TO BE ENTITLED AN ACT TO ALLOW THE NORTH CAROLINA BAPTIST STATE CONVENTION TO PARTICIPATE IN ALL PLANNING AND ANNEXATION PLANS RELATING TO FORT CASWELL, with a favorable report.

By Representative Fussell for the Committee on Highway Safety:

Senate Committee Substitute for H. B. 129, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE DIVISION OF MOTOR VEHICLES MAY NOT ISSUE A DRIVER'S LICENSE TO A PERSON WHOSE LICENSE WAS CANCELLED IN ANOTHER JURISDICTION, with recommendation that the House concur.

On motion of Representative Fussell, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Fussell, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

Senate Committee Substitute for H. B. 683, A BILL TO BE ENTITLED AN ACT TO REWRITE G. S. 20-217 PERTAINING TO PASSING STOPPED SCHOOL BUSES AND RECEIVING OR DISCHARGING PASSENGERS FROM SCHOOL BUSES STOPPED ON DIVIDED ROADWAYS, with recommendation that the House do not concur; request conferees.

On motion of Representative Fussell, the House does not concur in the Senate committee substitute and conferees are requested.

The Speaker announces the appointment of Representatives Lilley, Chairman; Miller, Fussell, Barker, and Wright as conferees and the Senate is so notified by Special Message.

By Representative McDowell for the Committee on Corrections:

Senate Committee Substitute for H. B. 681, A BILL TO BE ENTITLED AN ACT TO ALLOW THE PAROLE COMMISSION TO DENY REENTRY PAROLE TO CERTAIN OFFENDERS,with recommendation that the House concur.

On motion of Representative McDowell, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative McDowell, the House concurs in the Senate committee substitute, which changes the title, and the bill is ordered enrolled.

Committee Substitute No. 1 for H. B. 831, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PRESUMPTION IN FAVOR OF COMMUNITY PENALTIES FOR CERTAIN FELONS, with an unfavorable report as to Committee Substitute Bill No. 1, favorable as to Committee Substitute Bill No. 2.

Committee Substitute Bill No. 2 is placed on the Calendar for June 17, 1983. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H. B. 837, A BILL TO BE ENTITLED AN ACT TO PLACE A MORATORIUM ON NEW PRISON CONSTRUCTION WHILE ALTERNATIVE PENALTIES ARE CONSIDERED, with an indefinite postponement report.

S. B. 404, A BILL TO BE ENTITLED AN ACT TO CLARIFY STATUTORY PROVISIONS REGARDING GOOD CONDUCT TIME CREDITS IN REDUCTION OF PRISON SENTENCES, with a favorable report.

By Representative Foster for the Committee on Education:

H. B. 1003, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IF PROPERTY OWNED BY A LOCAL BOARD OF EDUCATION IS NO LONGER SUITABLE OR NECESSARY FOR PUBLIC SCHOOL PURPOSES, TITLE SHALL PASS TO THE COUNTY, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for June 17, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Jordan for the Committee on State Personnel:

H. B. 1160, A BILL TO BE ENTITLED AN ACT TO MAKE THE EMPLOYEES OF THE AGENCY FOR PUBLIC TELECOMMUNICATIONS SUBJECT TO THE STATE PERSONNEL ACT, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for June 17, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 1174, A BILL TO BE ENTITLED AN ACT TO RESTRICT THE AVAILABILITY OF COMPENSATORY LEAVE FOR STATE EMPLOYEES, with a favorable report.

Committee Substitute for S. B. 280, A BILL TO BE ENTITLED AN ACT TO AMEND AND CLARIFY THE PROVISIONS OF LAW RELATIVE TO THE NORTH CAROLINA PUBLIC EMPLOYEE DEFERRED COMPENSATION PLAN, with a favorable report.

By Representative Helms for the Committee on Courts and Administration of Justice:

H. B. 705, A BILL TO BE ENTITLED AN ACT TO INCREASE JUDICIAL DISCRETION IN DECISIONS AFFECTING PRETRIAL RELEASE, with a favorable report, as amended.

H. B. 894, A BILL TO BE ENTITLED AN ACT TO PROVIDE FEES FOR PROFESSIONAL SERVICES BY CERTIFIED PUBLIC ACCOUNTANTS WHO SERVE AS FIDUCIARIES, with a favorable report, as amended.

H. B. 912, A BILL TO BE ENTITLED AN ACT TO PROVIDE A PRIMA FACIE RULE OF EVIDENCE FOR G. S. 15A-543 IN ORDER TO EFFECTIVELY PROSECUTE PERSONS WHO WILLFULLY FAIL TO APPEAR IN COURT, with an indefinite postponement report.

By Representative Lilley for the Committee on Local Government No. 1:

H. B. 656, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN TERRITORY TO THE TOWN OF WAKE FOREST, with a favorable report, as amended.

H. B. 849, A BILL TO BE ENTITLED AN ACT TO PERMIT EDGECOMBE COUNTY TO SELL IMPOUNDED DOGS AND CATS TO LICENSED ANIMAL DEALERS AND REGISTERED INSTITUTIONS, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for June 17, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 1241, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHEN A VACANCY OCCURS IN THE OFFICE OF SHERIFF OF RICHMOND COUNTY, THE CLERK OF THE SUPERIOR COURT SHALL APPOINT A PERSON AS SHERIFF FROM THE SAME POLITICAL PARTY AS HIS PREDECESSOR, with a favorable report.

By Representative Hightower for the Committee on Insurance:

H. B. 392, A BILL TO BE ENTITLED AN ACT TO REQUIRE PERSONS CONVICTED OF D.U.I. TO CARRY THE MAXIMUM AUTOMOBILE INSURANCE FOR THREE YEARS OF DRIVING TIME AFTER THE CONVICTION, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for June 17, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 1197, A BILL TO BE ENTITLED AN ACT TO AMEND THE WORKERS' COMPENSATION SECURITY FUND ACT, with a favorable report.

By Representative Hunt for the Committee on Rules and Operation of the House:

H. J. R. 1204, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE OFFICE OF REGISTER OF DEEDS, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H. J. R. 1210, A JOINT RESOLUTION CALLING UPON THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE TO APPOINT A LEGISLATIVE DELEGATION TO ATTEND CEREMONIES IN GREAT BRITAIN CELEBRATING THE FOUR HUNDREDTH ANNIVERSARY OF THE ROANOKE VOYAGES, with a favorable report.

H. J. R. 1211, A JOINT RESOLUTION MEMORIALIZING THE CONGRESS TO PASS EMERGENCY LEGISLATION TO OPEN UP THE TREACHEROUS CHANNEL AT OREGON INLET, with a favorable report.

H. B. 1253, A BILL TO BE ENTITLED AN ACT DEFINING LEGISLATIVE BRIBERY AND CONSOLIDATING THE STATUTES RELATING THERETO, with a favorable report, as amended.

H. J. R. 1257, A JOINT RESOLUTION TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE QUALITY OF THE WATER IN THE HAW RIVER AND JORDAN RESERVOIR, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

S. J. R. 393, A JOINT RESOLUTION HONORING THE WINNING TRADITION OF COLLEGE BASKETBALL IN THE STATE OF NORTH CAROLINA, CULMINATING IN BACK TO BACK N.C.A.A. BASKETBALL CHAMPIONSHIPS BY THE UNIVERSITY OF NORTH CAROLINA TARHEELS AND THE NORTH

CAROLINA STATE UNIVERSITY WOLFPACK, with an indefinite postponement report.

S. J. R. 468, A JOINT RESOLUTION REQUESTING THE STATE'S CONGRESSIONAL DELEGATION TO ENCOURAGE THE UNITED STATES FISH AND WILDLIFE SERVICE TO ADJUST THE FEDERAL BIRD HUNTING SEASON LIMITATIONS SO AS TO RESTORE TO THE WATERFOWL HUNTERS OF NORTH CAROLINA THE HUNTING DAYS LOST BY REASON OF THE STATE'S PROHIBITION OF HUNTING WITH FIREARMS ON SUNDAY, with a favorable report.

S. J. R. 562, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF FATE JAMES BEAL, with a favorable report.

By Representative Wicker for the Committe on Law Enforcement:

H. B. 1130, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE RAPE VICTIM ASSISTANCE PROGRAM BY SPECIFYING THAT AMBULANCE AND MENTAL HEALTH COUNSELING COSTS ARE COVERED AND TO PROVIDE APPROVED KITS FOR THE COLLECTION OF MEDICAL EVIDENCE IN RAPE CASES, with a favorable report.

By Representative Pulley for the Committee on Judiciary No. 4:

H. B. 1215, A BILL TO BE ENTITLED AN ACT TO CLASSIFY METHAQUALONE AS A SCHEDULE I CONTROLLED SUBSTANCE, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Helms:

H. B. 1285, A BILL TO BE ENTITLED AN ACT TO PLACE IN THE ADMINISTRATIVE OFFICE OF THE COURTS THE AUTHORITY TO ADOPT REGULATIONS GOVERNING THE INDIGENT DEFENSE PROGRAM, is referred to the Committee on Courts and Administration of Justice.

By Representatives Jarrell, Burnley, and Gist:

H. B. 1286, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE REHABILITATION OF THE WILLIAM PENN HIGH SCHOOL AUDITORIUM, KNOWN AS THE SAMUEL E. BURFORD AUDITORIUM, IN HIGH POINT, NORTH CAROLINA, is referred to the Committee on Appropriations.

By Representative Hudson:

H. B. 1287, A BILL TO BE ENTITLED AN ACT TO ALLOW CITIES AND COUNTIES TO REQUIRE PERSONS SPEAKING AT PUBLIC HEARING TO TESTIFY UNDER OATH OR AFFIRMATION, is referred to the Committee on Local Government No. 1.

By Representatives Watkins, Church, and J. W. Crawford:

H. B. 1288, A BILL TO BE ENTITLED AN ACT REGARDING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS RECEIVED AND EXPENDED IN PERSON COUNTY BETWEEN JULY 1, 1983 AND JUNE 30, 1985, is referred to the Committee on Local Government No. 2.

By Representatives Cook, Adams, Barnes, Blue, Hackney, and Varner:

H. J. R. 1289, A JOINT RESOLUTION HONORING THE LIFE AND WORK OF MARION ALLEN WRIGHT, is referred to the Committee on Rules and Operation of the House.

By Representatives Greenwood, Colton, N. J. Crawford, and Nesbitt:

H. B. 1290, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE DRY RIDGE HISTORICAL MUSEUM IN BUNCOMBE COUNTY, is referred to the Committee on Appropriations.

By Representatives Blue, Adams, Cook, Fussell, Musselwhite, and Stamey:

H. B. 1291, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR LEARNING TOGETHER, INC., OF WAKE COUNTY, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H. B. 1140, A BILL TO BE ENTITLED AN ACT TO PERMIT TAKING STRIPED BASS FROM THE TAR RIVER WITH BOW NETS AND DIP NETS UNDER CERTAIN CONDITIONS, is returned for concurrence in Senate amendment and is placed on the Calendar for June 16, 1983.

S. B. 490, A BILL TO BE ENTITLED AN ACT TO PERMIT DEDUCTION OF CERTAIN EMPLOYEE CONTRIBUTIONS TO QUALIFIED RETIREMENT PLANS, is read the first time and is referred to the Committee on Finance.

S. B. 544, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN RELIGIOUS, NONPROFIT CONFERENCE CENTERS FROM THE COVERAGE OF THE WAGE AND HOUR LAWS, is read the first time and is referred to the Committee on Manufacturers and Labor.

CALENDAR

Action is taken on the following:

H. B. 554, A BILL TO BE ENTITLED AN ACT PERTAINING TO INSURANCE AND REGULATION OF HAZARDOUS WASTE LANDFILL FACILITIES.

On motion of Representative Hightower, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 690, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE RETURN OF PATIENTS TO TREATMENT FACILITIES.

On motion of Representative Barker, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 1206, A BILL TO BE ENTITLED AN ACT PERTAINING TO THE USE OF SCHOOL BUSES IN BRUNSWICK COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 909, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE V OF THE

CONSTITUTION OF NORTH CAROLINA TO AUTHORIZE THE GENERAL ASSEMBLY TO CREATE AN AGENCY TO ISSUE REVENUE BONDS TO FINANCE AGRICULTURAL FACILITIES PROJECTS, SUBJECT TO THE APPROVAL OF THE ELECTORATE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Beall, Beam, Beard, Berry, Blue, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Enloe, Bob Etheridge, Evans, Fletcher, Foster, Fulcher, Fussell, Gentry, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, and Wright — 109.

Voting in the negative: None.

Excused absences: Representatives Church, Edwards, Gillam, and C. Woodard — 4.

Committee Substitute for H. B. 910, A BILL TO BE ENTITLED AN ACT CREATING THE NORTH CAROLINA AGRICULTURAL FACILITIES FINANCE AGENCY AND AUTHORIZING SAID AGENCY TO FINANCE THE CONSTRUCTION, ACQUISITION AND DEVELOPMENT OF AGRICULTURAL FACILITIES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fletcher, Foster, Fulcher, Fussell, Gentry, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holt, Hudson, C. Hughes, J. Hughes, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, and Wright — 110.

Voting in the negative: None.

Excused absences: Representatives Church, Edwards, Gillam, and C. Woodard — 4.

H. B. 1222, A BILL TO BE ENTITLED AN ACT TO ALLOW COUNTY SERVICE DISTRICTS ESTABLISHED FOR FIRE PROTECTION PURPOSES TO ALSO FURNISH EMERGENCY MEDICAL, RESCUE AND AMBULANCE SERVICES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brawley, Brennan, Brubaker, Bumgardner, Burnley, Chapin, Childress,

Clark, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Enloe, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunter, Huskins, Jarrell, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lilley, Locks, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Pool, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, and Wright — 100.

Voting in the negative: Representatives Brown, Coble, Ligon, Poovey, and Spoon — 5.

Excused absences: Representatives Church, Edwards, Gillam, and C. Woodard — 4.

House Committee Substitute for Senate Committee Substitute for S. B. 357, A BILL TO BE ENTITLED AN ACT TO REVISE THE LICENSE PROVISIONS PERTAINING TO MARINE FISHERIES AND TO REPEAL THE SEAFOOD TAX, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brawley, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Clark, Cochrane, Colton, J. W. Crawford, Creecy, DeVane, Diamont, Economos, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, Jarrell, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Womble, and Wright — 102.

Voting in the negative: None.

Excused absences: Representatives Church, Edwards, Gillam, and C. Woodard — 4.

S. B. 411, A BILL TO BE ENTITLED AN ACT TO PERMIT THE ISSUANCE OF REVENUE BONDS AND REVENUE NOTES BY THE STATE OF NORTH CAROLINA AND AGENCIES THEREOF AS HEREINAFTER AUTHORIZED BY THE GENERAL ASSEMBLY, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Clark, Coble, Cochrane, Colton, J. W. Crawford, DeVane, Diamont, Easterling, Economos, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Robinson, Seymour, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Womble, and Wright — 102.

Voting in the negative: None.

Excused absences: Representatives Church, Edwards, Gillam, and C. Woodard — 4.

H. B. 1213, A BILL TO BE ENTITLED AN ACT TO PREVENT THE USE OF ARTIFICIAL LIGHTS IN TAKING DEPREDATING DEER.

Representative Lambeth offers Amendment No. 1 which is adopted by electronic vote (91-8).

The bill, as amended, passes its third reading, by electronic vote (87-10), and is ordered engrossed and sent to the Senate.

H. B. 1198, A BILL TO BE ENTITLED AN ACT TO REGULATE THE TAKING OF EXOTIC SPECIES OF WILD ANIMALS AND BIRDS OR SPECIES NOT INDIGENOUS TO THE AREA.

Representative Wright offers Amendment No. 1 which is adopted by electronic vote (100-0).

The bill, as amended, passes its third reading, by electronic vote (103-0), and is ordered engrossed and sent to the Senate.

Committee Substitute for H. B. 433, A BILL TO BE ENTITLED AN ACTION UNDER CHAPTER 50 TO PROTECT THE PROPERTY OF AN INCOMPETENT SPOUSE BUT TO PREVENT THE ENTRY OF A DIVORCE DECREE ON BEHALF OF THE INCOMPETENT.

Representative Lancaster offers Amendment No. 1 which is adopted.

Representative Slaughter offers Amendment No. 2 which is adopted.

Representative Pulley offers Amendment No. 3 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (95-2), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed amd sent to the Senate.

Committee Substitute for H. B. 434, A BILL TO BE ENTITLED AN ACT TO PROVIDE A STATUTORY SHORT FORM POWER OF ATTORNEY AND A DURABLE POWER OF ATTORNEY STATUTE AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

On motion of Representative Clark, consideration of the bill is postponed until June 16, 1983.

Representative Hunt presiding.

H. B. 206, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY THE LISTING OF REAL AND PERSONAL PROPERTY IN TIME-SHARING ARRANGEMENTS.

On motion of Representative McAlister, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 1139, A BILL TO BE ENTITLED AN ACT SETTING THE DISTRIBUTION OF PROFITS FROM THE SALES OF BEER AND WINE IN TOWNSHIPS, passes its second reading by electronic vote (76-4).

On motion of Representative Coble, the third reading of the bill is postponed until June 16, 1983.

H. B. 1229, A BILL TO BE ENTITLED AN ACT TO EXEMPT MAKE-UP ARTISTS FROM THE DEFINITION OF COSMETOLOGIST.

Representative Adams offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (97-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 1155, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF ELECTRICAL CONTRACTING.

On motion of Representative Lilley, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (87-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 1162, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE RESPONSIBILITY OF THE STATE BOARD OF EDUCATION FOR THE STATE'S SCHOOL TRANSPORTATION SYSTEM, passes its second reading, by electronic vote (90-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 1192, A BILL TO BE ENTITLED AN ACT TO REQUIRE A CONFERENCE ON JURY INSTRUCTIONS.

On motion of Representative Lancaster, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (86-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 1260, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CONFORMING CHANGES IN THE RAPE INDICTMENT STATUTE AS A RESULT OF CHAPTER 175 OF THE SESSION LAWS OF 1983, passes its second reading, by electronic vote (88-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 1144, A BILL TO BE ENTITLED AN ACT TO ABOLISH ALL GROUNDS FOR ABSOLUTE DIVORCE EXCEPT SEPARATION, passes its second reading, by electronic vote (64-35), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 925, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 58-43 RELATING TO NONRESIDENT AGENTS, passes its second reading, by electronic vote (94-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 1016, A BILL TO BE ENTITLED AN ACT TO AMEND THE SUBPOENA LAW RELATING TO MEDICAL RECORDS.

On motion of Representative Clark, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading by electronic vote (58-25).

Representative Clark objects to the third reading. The bill remains on the Calendar.

House Committee Substitute for Senate Committee Substitute for S. B. 89, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 50 OF THE GENERAL STATUTES TO ESTABLISH PROCEDURES TO INSURE PAYMENT OF CHILD SUPPORT.

Representative Watkins offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (85-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

The Speaker presiding.

Committee Substitute for S. B. 90, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 15A OF THE GENERAL STATUTES TO ESTABLISH PROCEDURES TO INSURE PAYMENT OF CHILD SUPPORT.

On motion of Representative Watkins, Committee Amendment No. 1 is adopted.

Representative Watkins offers Amendment No. 2 which is adopted.

Representative Hackney offers Amendment No. 3 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (89-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendments.

S. B. 507, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAWS REGARDING THE OPENING OF TEXTBOOK BIDS AND TO REQUIRE LOCAL SCHOOL BOARDS TO REMIT TEXTBOOK FEES TO THE STATE BOARD ON AN ANNUAL BASIS, passes its second reading, by electronic vote (88-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 15, 1983

Mr. Speaker:

Pursuant to your message that the House of Representatives fails to concur in the Senate Committee Substitute for H. B. 683, A BILL TO BE ENTITLED AN ACT TO REWRITE G. S. 20-217 PERTAINING TO PASSING STOPPED SCHOOL BUSES AND RECEIVING OR DISCHARGING PASSENGERS FROM SCHOOL BUSES STOPPED ON DIVIDED ROADWAYS, and requests conferees, the President appoints Senators Soles, Swain, Tally, Winner, and Jenkins on the part of the Senate to confer with a like committee on the part of the House to the end that the differences between the two Bodies may be resolved.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 345, AN ACT TO ALLOW WATER AND SEWER AUTHORITIES TO DEFEND OFFICERS, EMPLOYEES, AND GOVERNING BOARD MEMBERS AND PAY ANY OR ALL OF A CLAIM MADE OR CIVIL JUDGMENT ENTERED AGAINST ANY OF THEM.

H. B. 493, AN ACT TO IMPLEMENT THE CONSTITUTIONAL AMENDMENT REGARDING APPEAL OF UTILITIES COMMISSION ORDERS.

H. B. 186, AN ACT TO AMEND CHAPTER 110 OF THE GENERAL STATUTES TO ESTABLISH PROCEDURES FOR THE PROVISION OF NONRECIPIENT SERVICES AS REQUIRED BY FEDERAL LAW.

H. B. 711, AN ACT TO SPECIFICALLY INCLUDE MONEY USED IN DRUG DEALING AS PROPERTY SUBJECT TO FORFEITURE UNDER THE CONTROLLED SUBSTANCES ACT.

H. B. 723, AN ACT TO SPECIFY WHEN A PROCESSING FEE MAY BE CHARGED FOR CHECKS SENT BY MAIL AND WHEN A COLLECTION AGENCY MAY COLLECT A PROCESSING FEE FOR RETURNED CHECKS.

H. B. 791, AN ACT TO PERMIT ENFORCEMENT OF CHILD SUPPORT AND CUSTODY JUDGMENTS WHILE ON APPEAL.

H. B. 838, AN ACT TO ADD NONVIOLENT OFFENDERS IN THE TWENTY-ONE TO TWENTY-FOUR AGE GROUP TO THE COMMITTED YOUTHFUL OFFENDER LAW.

H. B. 913, AN ACT TO PROVIDE THAT WHEN A DISTRICT COURT JUDGE TRANSFERS A JUVENILE FELONY CASE TO SUPERIOR COURT, THE SUPERIOR COURT HAS JURISDICTION OVER THAT FELONY, ANY RELATED OFFENSE, AND ANY GREATER OR LESSER INCLUDED OFFENSE OF THAT FELONY.

S. B. 139, AN ACT TO ALLOW THE PURCHASE OF CREDITABLE SERVICE WITH THE STATE RETIREMENT SYSTEMS FOR LEAVES OF ABSENCE WHEN IN RECEIPT OF WORKERS' COMPENSATION.

S. B. 230, AN ACT TO AMEND THE BUNCOMBE SCHOOL CAPITAL FUND COMMISSION ACT.

On motion of Representative Hunt, seconded by Representative Foster, the House adjourns to reconvene June 16, 1983 at 1:30 p.m.

ONE HUNDRED TWELFTH DAY

HOUSE OF REPRESENTATIVES
Thursday, June 16, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Edwards.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of June 15 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Brubaker, Gillam, and Lilley for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative McDowell for the Committee on Corrections:

H. B. 835, A BILL TO BE ENTITLED AN ACT TO MAKE PRESENTENCE REPORTS MANDATORY IN FELONY CASES, with an unfavorable report as to bill, favorable as to committee substitute bill, and recommendation that the substitute bill be re-referred to the Committee on Appropriations.

The substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Wright for the Committee on Judiciary No. 2:

H. B. 748, A BILL TO BE ENTITLED AN ACT TO SPECIFICALLY INCLUDE MONEY USED IN DRUG DEALING AS PROPERTY SUBJECT TO FORFEITURE UNDER THE CONTROLLED SUBSTANCES ACT, with an indefinite postponement report.

H. B. 945, A BILL TO BE ENTITLED AN ACT CONCERNING THE REPORTING OF CERTAIN TRANSACTIONS IN UNITED STATES CURRENCY, with a favorable report.

H. B. 1227, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITY CLERKS TO ADMINISTER OATHS OF OFFICE, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for June 20, 1983. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for S. B. 392, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY TO ISSUE CUSTODY ORDERS APPLICABLE TO JUVENILES WITHIN THE JUVENILE JURISDICTION OF THE DISTRICT COURT AND THE CRITERIA FOR CUSTODY ORDERS, with a favorable report, as amended.

By Representative Quinn for the Committee on Finance:

S. B. 453, A BILL TO BE ENTITLED AN ACT TO AMEND THE AUTHORITY OF THE DEPARTMENT OF TRANSPORTATION TO SET FEES FOR SIGNS, SIGN PERMITS, AND JUNKYARD PERMITS, with a favorable report.

S. B. 566, A BILL TO BE ENTITLED AN ACT TO GRANT TO GASOHOL A FIVE CENT PARTIAL EXEMPTION FROM THE GASOLINE AND SPECIAL FUELS TAX, with a favorable report.

By Representative Bruce Ethridge for the Committee on Natural and Economic Resources:

H. B. 220, A BILL TO BE ENTITLED AN ACT TO MODIFY THE EXEMPTIONS UNDER THE COASTAL AREA MANAGEMENT ACT SO AS TO REGULATE MASSIVE CONVERSIONS FOR CORPORATE FARMING AND PEAT MINING, with an unfavorable report as to bill, favorable as to committee substitute joint resolution, which changes the title, and recommendation that the substitute joint resolution be re-referred to the Committee on Appropriations.

The substitute joint resolution is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

H.B. 232, A BILL TO BE ENTITLED AN ACT TO GIVE CAMA INPUT INTO THE GRANTING OF PERMITS OUTSIDE THE COASTAL AREA THAT AFFECT WATER QUALITY IN THE COASTAL AREA, with an unfavorable report as to bill, favorable as to committee substitute joint resolution, which changes the title, and recommendation that the substitute jolint resolution be re-referred to the Committee on Appropriations.

The substitute joint resolution is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

H. B. 1273, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE EARTH RESOURCES COUNCIL, THE TRIAD PARK COMMISSION, AND THE LAND CONSERVANCY CORPORATION, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for June 20, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Church for the Committee on State Government:

H. B. 1196, A BILL TO BE ENTITLED AN ACT TO PLACE THE PRESIDENT OF THE NORTH CAROLINA SOCIETY OF FIRE INSTRUCTORS ON THE STATE FIRE COMMISSION, with a favorable report.

H. B. 1224, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A REVIEW OF THE STATE'S DISABILITY DETERMINATION SERVICES, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations..

By Representative Wicker for the Committee on Law Enforcement:

H. B. 775, A BILL TO BE ENTITLED AN ACT TO CLARIFY A SHERIFF'S PERSONAL LIABILITY FOR THE ACTS OF HIS DEPUTY, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for June 20, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Hightower for the Committee on Insurance:

H. B. 926, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 58-40(a) RELATING TO LICENSING OF INSURANCE AGENTS, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for June 20, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Fussell for the Committee on Highway Safety:

H. B. 1013, A BILL TO BE ENTITLED AN ACT TO RESTRICT THE USE OF UNMARKED CARS BY THE STATE HIGHWAY PATROL AND TO PROHIBIT THE USE OF VEHICLES SIMILAR IN APPEARANCE TO HIGHWAY PATROL CARS OR UNIFORMS SIMILAR TO HIGHWAY PATROL UNIFORMS BY OTHER AGENCIES, with an indefinite postponement report.

H. B. 1035, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A SYSTEM OF GOOD DRIVER LICENSE POINTS, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for June 20, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Miller for the Committee on Judiciary No. 1:

H. B. 993, A BILL TO BE ENTITLED AN ACT TO EXEMPT INTERNAL ENGINEERING ACTIVITIES FOR THE PRODUCTION OF THE PROCESS OR SYSTEM AS WELL AS A PRODUCT, with an indefinite postponement report.

H. B. 1239, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DISPOSAL OF PERSONAL PROPERTY IN CONDEMNED BUILDINGS TO BE DEMOLISHED, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for June 20, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Evans for the Committee on Banks and Thrift Institutions:

H. B. 1221, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN LIMITED PARTNERSHIP DEBT OBLIGATIONS FROM THE APPLICATION OF THE STATE'S INTEREST LAWS, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for June 20, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Hunt for the Committee on Rules and Operation of the House:

H. J. R. 1080, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE FEASIBILITY OF ALLOWING TEACHERS AND OTHER STATE EMPLOYEES TO TAKE UP TO ONE YEAR IN LEAVE WITHOUT PAY, with an unfavorable report as to resolution, favorable as to committee substitute resolution, which changes the title.

The substitute resolution is placed on the Calendar for June 20, 1983. The original resolution is placed on the Unfavorable Calendar.

SUSPENSION OF RULES TO INTRODUCE LOCAL BILL

On motion of Representative Brennan, Rule 31.1 is suspended by a two-thirds majority vote in order for a local bill to be filed.

On motion of Representative Murphy, Rule 31.1 is suspended by a two-thirds majority vote in order for two local bills to be filed.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Clark:

H. J. R. 1292, A JOINT RESOLUTION TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY POLICIES DETERMINING THE REGULATION OF ALCOHOLIC BEVERAGES ON STATE PROPERTY, is referred to the Committee on Rules and Operation of the House.

By Representatives Auman, Beard, Clark, Edwards, Lee, and Tyson:

H. B. 1293, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE DEVELOPMENT OF A SOUTHERN PINES RESERVOIR PARK IN MOORE COUNTY, is referred to the Committee on Appropriations.

By Representatives Economos and Mavretic:

H. J. R. 1294, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO REVIEW AND STREAMLINE PROCEDURES FOR APPEALS OF DECISIONS TO APPROVE OR DENY A CERTIFICATE OF NEED, is referred to the Committee on Rules and Operation of the House.

By Representative Beam:

H. B. 1295, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A SUNSET ON BOARDS OR COMMISSIONS CREATED BY EXECUTIVE ORDER OF THE GOVERNOR, is referred to the Committee on Rules and Operation of the House.

By Representatives Jordan, Black, Brennan, Easterling, Economos, Fletcher, Foster, Helms, Hightower, Jones, McAlister, Owens, and Spoon:

H. B. 1296, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO LIMIT THE ANNUAL INCREASE IN THE NUMBER OF STATE EMPLOYEES, is referred to the Committee on Constitutional Amendments.

By Representative Black:

H. B. 1297, A BILL TO BE ENTITLED AN ACT MAKING THE MURDER OF A UNIFORMED LAW ENFORCEMENT OFFICER AN AGGRAVATING CIRCUMSTANCE UNDER THE CAPITAL PUNISHMENT LAW, is referred to the Committee on Judiciary No. 3.

On motion of Representative Quinn, the rules are suspended and the following is read the first time:

By Representatives Quinn, Hudson, Slaughter, and Thomas:

H. B. 1310, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE STATE SHARE OF BUILDING A NATIONAL GUARD ARMORY IN CABARRUS COUNTY, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for House Committee Substitute for H. B. 124, A BILL TO BE ENTITLED AN ACT TO EXPAND THE USE OF OUTPATIENT INVOLUNTARY COMMITMENTS FOR THE MENTALLY ILL, is returned for concurrence in Senate committee substitute and is referred to the Committee on Mental Health.

Committee Substitute for H. B. 455, A BILL TO BE ENTITLED AN ACT TO ESTABLISH UNIFORM REGULAR AND SPECIAL CONDITIONS OF PROBATION, is returned for concurrence in Senate amendment and is placed on the Calendar for June 17, 1983.

H. B. 471, A BILL TO BE ENTITLED AN ACT TO REQUIRE A SUPERVISION FEE OF ALL PERSONS PLACED ON PAROLE, is returned for concurrence in Senate amendment and is placed on the Calendar for June 17, 1983.

Committee Substitute for H. B. 744, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 14-320.1 TO RECOGNIZE CHILD CUSTODY ORDERS ISSUED IN OTHER STATES, is returned for concurrence in Senate amendment and is placed on the Calendar for June 17, 1983.

Senate Committee Substitute for House Committee Substitute for H. B. 759, A BILL TO BE ENTITLED AN ACT TO SPECIFY A SUMMONS FOR TERMINATION OF PARENTAL RIGHTS CASES, TO PROVIDE FOR AN ANSWER IN SUCH CASES, AND TO SPECIFY WHO IS TO RECEIVE COPIES OF TERMINATION OF PARENTAL RIGHTS ORDERS, is returned for concurrence in Senate committee substitute and is referred to the Committee on Judiciary No. 3.

H. B. 942, A BILL TO BE ENTITLED AN ACT RELATING TO MUNICIPALITIES AND PROCEDURES FOR THE OPERATION AND FINANCING OF JOINT MUNICIPAL POWER AGENCIES, is returned for concurrence in Senate amendment and is placed on the Calendar for June 20, 1983.

Committee Substitute for H. B. 947, A BILL TO BE ENTITLED AN ACT CONCERNING THE HARBORING OF INDIVIDUALS KNOWN TO BE THE SUBJECT OF OUTSTANDING WARRANTS FOR ARREST, is returned for concurrence in Senate amendment and is placed on the Calendar for June 17, 1983.

Committee Substitute for S. B. 141, A BILL TO BE ENTITLED AN ACT TO REWRITE THE PUBLIC HEALTH LAWS, is read the first time and is referred to the Committee on Appropriations.

CALENDAR

Action is taken on the following:

H. B. 1140, A BILL TO BE ENTITLED AN ACT TO PERMIT TAKING STRIPED BASS FROM THE TAR RIVER WITH BOW NETS AND DIP NETS UNDER CERTAIN CONDITIONS.

On motion of Representative Mavretic, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 620, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF SOUTHPORT AND TO REPEAL PRIOR LOCAL ACTS.

On motion of Representative Rabon, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brawley, Brown, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, J. W. Crawford, N. J. Crawford, DeVane, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holmes, Hudson, C. Hughes, Huskins, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 100.

Voting in the negative: None.

Excused absences: Representatives Brubaker, Gillam, Lilley, and Payne — 4.

H. B. 1249, A BILL TO BE ENTITLED AN ACT TO INCLUDE TWO SATELLITE AREAS WITHIN THE CORPORATE LIMITS OF THE TOWN OF BAKERSVILLE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Hudson, C. Hughes, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Robinson, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 101.

Voting in the negative: None.

Excused absences: Representatives Brubaker, Gillam, Lilley, and Payne — 4.

H. B. 656, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN TERRITORY TO THE TOWN OF WAKE FOREST.

Representative Musselwhite requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

On motion of Representative Blue, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Burnley, Chapin, Church, Clark, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gist, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Hudson, C. Hughes, Huskins, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lambeth, Lancaster, Lee, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Miller, Murphy, Nash, Nesbitt, Owens, Pool, Poovey, Pulley, Quinn, Redding, Rhodes, Roberts, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 94.

Voting in the negative: Representative Lacey.

Excused absences: Representatives Brubaker, Gillam, Lilley, and Payne — 4.

Excused votes: Representative Musselwhite.

H. B. 644, A BILL TO BE ENTITLED AN ACT TO ALLOW GASTON COUNTY TO REGULATE VEHICLE TOWING BUSINESSES WITHIN THE UNINCORPORATED AREAS OF GASTON COUNTY.

On motion of Representative Bumgardner, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 1277, A BILL TO BE ENTITLED AN ACT TO ALLOW THE NORTH CAROLINA BAPTIST STATE CONVENTION TO PARTICIPATE IN ALL PLANNING AND ANNEXATION PLANS RELATING TO FORT CASWELL.

On motion of Representative Womble, consideration of the bill is postponed until June 21, 1983.

H. B. 1241, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHEN A VACANCY OCCURS IN THE OFFICE OF SHERIFF OF RICHMOND COUNTY, THE CLERK OF THE SUPERIOR COURT SHALL APPOINT A PERSON AS SHERIFF FROM THE SAME POLITICAL PARTY AS HIS PREDECESSOR, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 909, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE V OF THE CONSTITUTION OF NORTH CAROLINA TO AUTHORIZE THE GENERAL

ASSEMBLY TO CREATE AN AGENCY TO ISSUE REVENUE BONDS TO FINANCE AGRICULTURAL FACILITIES PROJECTS, SUBJECT TO THE APPROVAL OF THE ELECTORATE, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Allran, Anderson, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brown, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Bob Etheridge, Bruce Ethridge, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gist, Greenwood, Grimsley, Hasty, Hauser, Hayden, Hightower, Hudson, C. Hughes, Hunt, Huskins, James, Jarrell, Jeralds, Jones , Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Pool, Poovey, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Womble, C. Woodard, and Wright — 97.

Voting in the negative: None.

Excused absences: Representatives Brubaker, Gillam, Lilley, and Payne — 4.

Committee Substitute for H. B. 910, A BILL TO BE ENTITLED AN ACT CREATING THE NORTH CAROLINA AGRICULTURAL FACILITIES FINANCE AGENCY AND AUTHORIZING SAID AGENCY TO FINANCE THE CONSTRUCTION, ACQUISITION AND DEVELOPMENT OF AGRICULTURAL FACILITIES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barker, Beall, Beam, Beard, Berry, Black, Bowen, Brannan, Brawley, Brown, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gist, Greenwood, Grimsley, Hasty, Hauser, Hayden, Hightower, Hudson, C. Hughes, Huskins, James, Jarrell, Jeralds, Jones , Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Wicker, Womble, C. Woodard, and Wright — 97.

Voting in the negative: None.

Excused absences: Representatives Brubaker, Gillam, Lilley, and Payne — 4.

H. B. 1222, A BILL TO BE ENTITLED AN ACT TO ALLOW COUNTY SERVICE DISTRICTS ESTABLISHED FOR FIRE PROTECTION PURPOSES TO ALSO FURNISH EMERGENCY MEDICAL, RESCUE AND AMBULANCE SERVICES, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Bowen, Brannan, Bumgardner, Chapin, Childress, Church, Clark, Cochrane, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gist, Greenwood, Grimsley, Hasty, Hauser, Hayden, Hightower, Hudson, C. Hughes, Huskins, Jarrell, Jeralds, Jones,

Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Locks, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Pool, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Wicker, Womble, C. Woodard, and Wright — 89.

Voting in the negative: Representatives Burnley and Poovey — 2.

Excused absences: Representatives Brubaker, Gillam, Lilley, and Payne — 4.

House Committee Substitute for Senate Committee Substitute for S. B. 357, A BILL TO BE ENTITLED AN ACT TO REVISE THE LICENSE PROVISIONS PERTAINING TO MARINE FISHERIES AND TO REPEAL THE SEAFOOD TAX, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Bowen, Brawley, Brown, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gist, Greenwood, Grimsley, Hasty, Hauser, Hayden, Hightower, Hudson, C. Hughes, Hunt, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Wicker, Womble, and Wright — 98.

Voting in the negative: None.

Excused absences: Representatives Brubaker, Gillam, Lilley, and Payne — 4.

S. B. 411, A BILL TO BE ENTITLED AN ACT TO PERMIT THE ISSUANCE OF REVENUE BONDS AND REVENUE NOTES BY THE STATE OF NORTH CAROLINA AND AGENCIES THEREOF AS HEREINAFTER AUTHORIZED BY THE GENERAL ASSEMBLY, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Bowen, Brawley, Brown, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gist, Greenwood, Grimsley, Hasty, Hauser, Hayden, Hightower, Hudson, C. Hughes, Hunt, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Wicker, Womble, C. Woodard, and Wright — 97.

Voting in the negative: None.

Excused absences: Representatives Brubaker, Gillam, Lilley, and Payne — 4.

Committee Substitute for H. B. 204, A BILL TO BE ENTITLED AN ACT TO AMEND THE MACHINERY ACT, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Berry, Black, Blue, Bowen, Brawley, Brennan, Brown, Bumgardner, Burnley, Chapin, Childress, Clark, Coble, Cochrane, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry, Greenwood, Grimsley, Hasty, Hauser, Hayden, Hightower, Hudson, C. Hughes, Hunt, Hunter, Huskins, Jarrell, Jones, Jordan, Keesee, Kennedy, Lambeth, Lancaster, Lee, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Robinson, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyson, Varner, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 94.

Voting in the negative: None.

Excused absences: Representatives Brubaker, Gillam, Lilley, and Payne — 4.

H. B. 1199, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE POSITION OF COUNTY COMMISSIONERS SERVING ON OTHER BOARDS WHOSE MEMBERS ARE APPOINTED BY THE BOARD OF COUNTY COMMISSIONERS.

Representative DeVane calls the previous question on the passage of the bill.

Representative Wicker moves that the call for the previous question be postponed indefinitely.

On motion of Representative DeVane, seconded by Representative Adams, the motion to postpone indefinitely the call for the previous question is tabled by electronic vote (85-18).

The motion to call the previous question on the passage of the bill is sustained by electronic vote (97-7).

The bill passes its third reading, by electronic vote (97-9), and is ordered sent to the Senate.

H. B. 1139, A BILL TO BE ENTITLED AN ACT SETTING THE DISTRIBUTION OF PROFITS FROM THE SALES OF BEER AND WINE IN TOWNSHIPS, passes its third reading, by electronic vote (92-3), and is ordered sent to the Senate.

H. B. 1016, A BILL TO BE ENTITLED AN ACT TO AMEND THE SUBPOENA LAW RELATING TO MEDICAL RECORDS.

Representative Clark offers Amendment No. 2 which is adopted by electronic vote (97-0).

The bill, as amended, passes its third reading, by electronic vote (93-4), and is ordered engrossed and sent to the Senate.

S. B. 372, A BILL TO BE ENTITLED AN ACT TO ASSURE THAT IF THE WESTERN RESIDENCE OF THE GOVERNOR IN ASHEVILLE IS DAMAGED OR DESTROYED, IT WILL BE REPAIRED.

On motion of Representative N. J. Crawford, consideration of the bill is postponed until June 21, 1983.

Committee Substitute for H. B. 567, A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES 14-107 TO MANDATE RESTITUTION FOR WORTHLESS CHECKS THROUGH COMMUNITY SERVICE WORK, IF NEEDED.

On motion of Representative Mauney, consideration of the bill is postponed until June 22, 1983.

Committee Substitute for H. B. 434, A BILL TO BE ENTITLED AN ACT TO PROVIDE A STATUTORY SHORT FORM POWER OF ATTORNEY AND A DURABLE POWER OF ATTORNEY STATUTE AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its second reading, by electronic vote (86-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 961, A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL FOR ANY PERSON TO BE INTOXICATED ON ANY HIGHWAY.

On motion of Representative Evans, consideration of the bill is postponed until June 21, 1983.

Committee Substitute for H. B. 541, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCOME TAX CREDIT FOR THE PURCHASE OF CONSERVATION TILLAGE EQUIPMENT FOR AGRICULTURE AND FORESTRY.

On motion of Representative Evans, consideration of the bill is postponed until June 21, 1983.

Representative Barbee presiding.

Committee Substitute for H. B. 1127, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 143B-417 TO PROVIDE THAT THE JUSTICES OF THE SUPREME COURT AND JUDGES OF THE COURT OF APPEALS BE INCLUDED AMONG THE OFFICES TO WHICH STUDENT INTERNS MAY BE ASSIGNED, passes its second reading, by electronic vote (92-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 1212, A BILL TO BE ENTITLED AN ACT TO PERMIT CERTAIN DOGS IN INNS AND HOTELS.

Representative Rabon offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading by electronic vote (64-34).

Representative Barnes objects to the third reading. The bill remains on the Calendar.

H. B. 1174, A BILL TO BE ENTITLED AN ACT TO RESTRICT THE AVAILABILITY OF COMPENSATORY LEAVE FOR STATE EMPLOYEES.

On motion of Representative Watkins, the billis re-referred to the Committee on Appropriations by electronic vote (74-22).

H. B. 705, A BILL TO BE ENTITLED AN ACT TO INCREASE JUDICIAL DISCRETION IN DECISIONS AFFECTING PRETRIAL RELEASE.

On motion of Representative Miller, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (92-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 894, A BILL TO BE ENTITLED AN ACT TO PROVIDE FEES FOR PROFESSIONAL SERVICES BY CERTIFIED PUBLIC ACCOUNTANTS WHO SERVE AS FIDUCIARIES.

On motion of Representative Roberts, Committee Amendment No. 1 is adopted.

On motion of Representative Watkins, the bill is ordered engrossed and re-referred to the Committee on Judiciary No. 4.

H. B. 1197, A BILL TO BE ENTITLED AN ACT TO AMEND THE WORKERS' COMPENSATION SECURITY FUND ACT, passes its second reading, by electronic vote (94-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. J. R. 1210, A JOINT RESOLUTION CALLING UPON THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE TO APPOINT A LEGISLATIVE DELEGATION TO ATTEND CEREMONIES IN GREAT BRITAIN CELEBRATING THE FOUR HUNDREDTH ANNIVERSARY OF THE ROANOKE VOYAGES.

On motion of Representative Evans, consideration of the resolution is postponed until June 21, 1983.

H. J. R. 1211, A JOINT RESOLUTION MEMORIALIZING THE CONGRESS TO PASS EMERGENCY LEGISLATION TO OPEN UP THE TREACHEROUS CHANNEL AT OREGON INLET.

On motion of Representative Evans, consideration of the resolution is postponed until June 21, 1983.

H. B. 1253, A BILL TO BE ENTITLED AN ACT DEFINING LEGISLATIVE BRIBERY AND CONSOLIDATING THE STATUTES RELATING THERETO.

On motion of Representative Adams, Committee Amendment No. 1 is adopted.

Representative Lancaster offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 1215, A BILL TO BE ENTITLED AN ACT TO CLASSIFY METHAQUALONE AS A SCHEDULE I CONTROLLED SUBSTANCE, passes its second reading, by electronic vote (90-6), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

The Speaker presiding.

H. B. 1130, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE RAPE VICTIM ASSISTANCE PROGRAM BY SPECIFYING THAT AMBULANCE AND MENTAL HEALTH COUNSELING COSTS ARE COVERED AND TO PROVIDE APPROVED KITS FOR THE COLLECTION OF MEDICAL EVIDENCE IN RAPE CASES, passes its second reading, by electronic vote (95-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S. B. 404, A BILL TO BE ENTITLED AN ACT TO CLARIFY STATUTORY PROVISIONS REGARDING GOOD CONDUCT TIME CREDITS IN REDUCTION OF PRISON SENTENCES, passes its second reading, by electronic vote (96-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for S. B. 280, A BILL TO BE ENTITLED AN ACT TO AMEND AND CLARIFY THE PROVISIONS OF LAW RELATIVE TO THE NORTH CAROLINA PUBLIC EMPLOYEE DEFERRED COMPENSATION PLAN, passes its second reading, by electronic vote (95-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. J. R. 468, A JOINT RESOLUTION REQUESTING THE STATE'S CONGRESSIONAL DELEGATION TO ENCOURAGE THE UNITED STATES FISH AND WILDLIFE SERVICE TO ADJUST THE FEDERAL BIRD HUNTING SEASON LIMITATIONS SO AS TO RESTORE TO THE WATERFOWL HUNTERS OF NORTH CAROLINA THE HUNTING DAYS LOST BY REASON OF THE STATE'S PROHIBITION OF HUNTING WITH FIREARMS ON SUNDAY, passes its second reading, by electronic vote (84-9), and there being no objection is read a third time.

The bill passes its third reading, by electronic vote (66-23), and is ordered enrolled.

S. J. R. 562, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF FATE JAMES BEAL.

On motion of Representative Diamont, consideration of the bill is postponed until June 20, 1983.

On motion of Representative Watkins, the rules are suspended and H. B. 1288, A BILL TO BE ENTITLED AN ACT REGARDING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS RECEIVED AND EXPENDED IN PERSON COUNTY BETWEEN JULY 1, 1983 AND JUNE 30, 1985, is withdrawn from the Committee on Local Government No. 2 and is placed before the House for immediate consideration.

The bill passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 588, AN ACT TO AMEND CHAPTER 495 OF THE SESSION LAWS OF 1977 TO CLARIFY THE EFFECT OF SAID ACT, WHICH IS A CODIFICATION OF THE CHARTER OF THE CITY OF WILMINGTON, ON OTHER ACTS.

H. B. 774, AN ACT REGARDING PROBATION REVOCATION IN A COUNTY OTHER THAN THE COUNTY OF ORIGINAL CONVICTION.

H. B. 694, AN ACT TO REPEAL THE REQUIREMENT OF A NEW REGISTRATION OF VOTERS UPON INCORPORATION OF A MUNICIPALITY AND SIMULTANEOUS DISSOLUTION OF A SANITARY DISTRICT.

H. B. 605, AN ACT TO AMEND G. S. 20-13 AND G. S. 20-16 RELATING TO SUSPENSION OF DRIVERS' LICENSES OF PROVISIONAL LICENSEES AND LICENSEES HOLDING MOTOR VEHICLE OPERATORS' LICENSES.

H. B. 886, AN ACT TO PROVIDE FOR REASONABLE BEACH ACCESS WITHIN THE TOWN OF EMERALD ISLE.

H. B. 916, AN ACT TO ESTABLISH THE GOVERNOR'S MANAGEMENT COUNCIL.

H. B. 978, AN ACT TO AMEND G. S. 24-10 CONCERNING FEES ON SECOND MORTGAGES.

H. B. 1000, AN ACT TO INCREASE THE MAXIMUM AMOUNT MOTOR CLUBS MAY REIMBURSE FOR EMERGENCY ROAD SERVICE.

H. B. 1037, AN ACT MAKING THE COMMISSIONER OF INSURANCE AN EX OFFICIO MEMBER OF THE PUBLIC OFFICERS AND EMPLOYEES LIABILITY INSURANCE COMMISSION.

H. B. 1062, AN ACT TO PROVIDE THAT THE FACT THAT A PERSON OWNS TEN PERCENT OR LESS OF THE STOCK OF A CORPORATION OR HAS A TEN PERCENT OR LESS OWNERSHIP IN ANY OTHER BUSINESS ENTITY OR IS AN EMPLOYEE OF A CORPORATION OR OTHER BUSINESS ENTITY DOES NOT VIOLATE THE DIRECTOR OF PUBLIC TRUST STATUTES.

H. B. 129, AN ACT TO PROVIDE THAT THE DIVISION OF MOTOR VEHICLES MAY NOT ISSUE A DRIVER'S LICENSE TO A PERSON WHOSE LICENSE WAS CANCELLED IN ANOTHER JURISDICTION.

H. B. 554, AN ACT PERTAINING TO INSURANCE AND REGULATION OF HAZARDOUS WASTE LANDFILL FACILITIES.

H. B. 681, AN ACT TO ALLOW THE PAROLE COMMISSION TO IMPOSE ADDITIONAL CONDITIONS OF PAROLE ON FAIR SENTENCE INMATES.

H. B. 690, AN ACT TO PROVIDE FOR THE RETURN OF PATIENTS TO TREATMENT FACILITIES.

S. B. 507, AN ACT TO AMEND THE LAWS REGARDING THE OPENING OF TEXTBOOK BIDS AND TO REQUIRE LOCAL SCHOOL BOARDS TO REMIT TEXTBOOK FEES TO THE STATE BOARD ON AN ANNUAL BASIS.

On motion of Representative Hunt, seconded by Representative Nesbitt, the House adjourns to reconvene June 17, 1983 at 10:00 a.m.

ONE HUNDRED THIRTEENTH DAY

House of Representatives
Friday, June 17, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Lambeth.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of June 16 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Brannan, Brubaker, Colton, Gillam, Gist, Ligon, Lilley, Payne, Rhodes, Seymour, and Warren for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Wicker for the Committee on Law Enforcement:

S. B. 550, A BILL TO BE ENTITLED AN ACT TO INCLUDE A WOMAN LAW ENFORCEMENT OFFICER ON THE CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION, with a favorable report, as amended.

By Representative Seymour for the Committee on Public Utilities:

Committee Substitute for S. B. 308, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NORTH CAROLINA ENERGY DEVELOPMENT AUTHORITY, with an unfavorable report as to Senate committee substitute bill, favorable as to House committee substitute bill, and recommendation that the House committee substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Gentry for the Committee on Election Laws:

H. B. 1237, A BILL TO BE ENTITLED AN ACT TO RESTORE THE 1975 LAW ON TERMINATION OF EMPLOYMENT OF A COUNTY SUPERVISOR OF ELECTIONS, with a favorable report.

H. B. 1254, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE ON WHICH MEMBERS OF COUNTY BOARDS OF ELECTIONS, REGISTRARS AND JUDGES OF ELECTIONS ARE APPOINTED, with a favorable report, as amended.

S. B. 109, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE APPOINTMENT OF SPECIAL LIBRARY REGISTRATION DEPUTIES TO REGISTER VOTERS IN ALL PUBLIC LIBRARIES, with a favorable report, as amended.

By Representative Wright for the Committee on Judiciary No. 2:

H. B. 950, A BILL TO BE ENTITLED AN ACT TO PROHIBIT POSSESSION OF WEAPONS AND CERTAIN SUBSTANCES ON THE GROUNDS OF ANY CHARITABLE, MENTAL, OR PENAL INSTITUTION, OR LOCAL CONFINEMENT FACILITY, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for June 21, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 1245, A BILL TO BE ENTITLED AN ACT TO MAKE THE RULE MAKING PROVISIONS OF THE ADMINISTRATIVE PROCEDURE ACT APPLICABLE TO THE INDUSTRIAL COMMISSION, with a favorable report, as amended.

Committee Substitute for S. B. 107, A BILL TO BE ENTITLED AN ACT TO REVISE THE ANNEXATION LAWS, with an unfavorable report as to Senate committee substitute bill, favorable as to House committee substitute bill.

The House committee substitute bill is placed on the Calendar for June 21, 1983. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Helms for the Committee on Courts and Administration of Justice:

H. B. 544, A BILL TO BE ENTITLED AN ACT TO REQUIRE A LAW ENFORCEMENT OFFICER WHO ARRESTS OR ISSUES A CITATION TO AN UNEMANCIPATED MINOR TO INFORM THE MINOR'S PARENTS OF THE ARREST OR CITATION, with an unfavorable report as to Committee Substitute Bill No. 1, favorable as to Committee Substitute Bill No. 2.

Committee Substitute Bill No. 2 is placed on the Calendar for June 21, 1983. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H. B. 770, A BILL TO BE ENTITLED AN ACT TO PROVIDE A CAREER COMPENSATION PLAN FOR ASSISTANT DISTRICT ATTORNEYS, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Appropriations.

On motion of Representative Helms, Committee Amendment No. 1 is adopted.

The bill is ordered engrossed and re-referred to the Committee on Appropriations.

Committee Substitute for S. B. 181, A BILL TO BE ENTITLED AN ACT TO MAKE JUDGES AND JUSTICES OF THE GENERAL COURT OF JUSTICE INACTIVE MEMBERS OF THE STATE BAR, with a favorable report, as amended.

S. B. 504, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE VENUE FOR THE TRIAL OF FELONY OFFENSES COMMITTED WITHIN THE CORPORATE LIMITS OF A MUNICIPALITY WHICH LIES WITHIN MORE THAN ONE COUNTY, with a favorable report.

By Representative Pulley for the Committee on Judiciary No. 4:

H. B. 1043, A BILL TO BE ENTITLED AN ACT TO REQUIRE DRIVERS TO YIELD THE RIGHT-OF-WAY TO VEHICLES GIVING A WARNING SIGNAL BY EITHER LIGHTS OR SIRENS, with an indefinite postponement report.

S. B. 429, A BILL TO BE ENTITLED AN ACT TO PROVIDE PAYMENT FOR ATTORNEYS OR GUARDIANS AD LITEM FOR CERTAIN PERSONS, with a favorable report, as amended.

By Representative Evans for the Committee on Banks and Thrift Institutions:

H. B. 855, A BILL TO BE ENTITLED AN ACT TO SET THE RATES CHARGED BY LENDERS FOR CREDIT INSURANCE AT A REASONABLE LEVEL, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for June 21, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Nesbitt for the Committee on Small Business:

H. B. 1045, A BILL TO BE ENTITLED AN ACT ESTABLISHING A COUNCIL ON SMALL BUSINESS INVESTMENT COMPANIES AND PROVIDING FOR STATE LOANS TO SMALL BUSINESS INVESTMENT COMPANIES, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title, and recommendation that the substitute bill be re-referred to the Committee on Appropriations.

The substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Evans, Chapin, Bruce Ethridge, Fulcher, Gillam, James, Mavretic, Payne, Rabon, and Rhodes:

H. B. 1298, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE ADDITIONAL FUNDS FOR NEW ATTORNEYS AND SUPPORT SERVICES TO RESOLVE SUBMERGED LAND CLAIMS FILED PURSUANT TO G. S. 113-205, is referred to the Committee on Appropriations.

By Representatives Evans, Chapin, Colton, Bruce Ethridge, Fulcher, Gillam, James, Mavretic, Payne, Rabon, and Rhodes:

H. B. 1299, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR ARCHAEOLOGICAL INVESTIGATIONS IN THE COASTAL AREA OF NORTH CAROLINA, is referred to the Committee on Appropriations.

By Representative Enloe:

H. B. 1300, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE TOWN OF HAYESVILLE WATER SUPPLY SYSTEM, is referred to the Committee on Appropriations.

By Representatives Enloe, Beall, and Ramsey:

H. B. 1301, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE GREAT SMOKEY MOUNTAIN HERITAGE FESTIVAL, is referred to the Committee on Appropriations.

By Representative Brennan:

H. B. 1302, A BILL TO BE ENTITLED AN ACT TO PERMIT CERTAIN EMPLOYEES OF THE CHARLOTTE FIRE DEPARTMENT TO PURCHASE CREDIT IN THE CHARLOTTE FIREMEN'S RETIREMENT SYSTEM FOR PRIOR SERVICE AS FIRE OFFICERS, is referred to the Committee on Pensions and Retirement.

By Representative Brennan:

H. B. 1303, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A MEDIATION OF CHILD CUSTODY AND VISITATION DISPUTES PILOT PROGRAM IN MECKLENBURG COUNTY, is referred to the Committee on Appropriations.

By Representatives Lambeth, Cochrane, and Varner:

H. B. 1304, A BILL TO BE ENTITLED AN ACT TO RENOVATE THE DAVIE COUNTY SCHOOLS, is referred to the Committee on Appropriations.

By Representative Representatives Lambeth and Varner:

H. B. 1305, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PUBLICATION OF THE FINDINGS IN THE ARCHITECTURAL AND HISTORICAL INVENTORY OF DAVIDSON COUNTY, is referred to the Committee on Appropriations.

By Representatives Anderson and Barker:

H. B. 1306, A BILL TO BE ENTITLED AN ACT TO PERMIT PAYMENT OF DIVIDENDS FOR EMPLOYER GROUPS, is referred to the Committee on Manufacturers and Labor.

By Representatives Foster, Mauney, Mavretic, and Poovey:

H. B. 1307, A BILL TO BE ENTITLED AN ACT TO CREATE THE PUBLIC EDUCATION POLICY COUNCIL, is referred to the Committee on Rules and Operation of the House.

By Representatives Greenwood, Auman, Burnley, Colton, N. J. Crawford, Easterling, Economos, Edwards, Enloe, Foster, Gist, Grimsley, Hasty, Hunter, Jarrell, Keesee, McAlister, McDowell, Nesbitt, Owens, Seymour, and Warren:

H. J. R. 1308, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE LOCAL FINANCING OF COMMUNITY COLLEGES, is referred to the Committee on Rules and Operation of the House.

By Representatives Stamey, Adams, Allran, Beam, Blue, Brannan, Brennan, Clark, Cook, N. J. Crawford, Diamont, Easterling, Economos, Fenner, Foster, Fussell, Hackney, Matthews, Mauney, Miller, Musselwhite, Nash, and Spaulding:

H. J. R. 1309, A JOINT RESOLUTION TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE DISPOSITION OF ANIMALS BY ANIMAL SHELTERS AND POUNDS, is referred to the Committee on Rules and Operation of the House.

By Representatives Blue, Adams, Ballance, Barnes, Beall, Berry, Childress, Colton, Cook, Gist, Hackney, Kennedy, Locks, McDowell, Rhodes, Roberts, Slaughter, and Stamey:

H. B. 1311, A BILL TO BE ENTITLED AN ACT PROHIBITING ADMINISTRATION OF A POLYGRAPH TEST IN CONNECTION WITH EMPLOYMENT, is referred to the Committee on Judiciary No. 3.

By Representatives Gist and Enloe:

H. B. 1312, A BILL TO BE ENTITLED AN ACT TO IMPOSE A TAX ON RAILROADS BASED ON THE NUMBER OF FREIGHT CAR MILES TRAVELED BY THE RAILROAD, is referred to the Committee on Finance.

By Representatives Brannan and B. Woodard:

H. B. 1313, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR UNION STATION IN SELMA, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for H. B. 384, A BILL TO BE ENTITLED AN ACT TO MAKE PERMANENT THE 120-DAY SPEEDY TRIAL LAW REQUIREMENT AND TO MAKE OTHER CHANGES, is returned for concurrence in Senate amendment and is placed on the Calendar for June 20, 1983.

Committee Substitute for H. B. 513, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE FILING OF A NOTICE OF APPEAL IN ALL APPEALS TAKEN FROM DECISIONS OR ORDERS OF THE UTILITIES COMMISSION, is returned for concurrence in Senate amendment and is placed on the Calendar for June 20, 1983.

Senate Committee Substitute for House Committee Substitute No. 2 for H. B. 800, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 65 RELATING TO FUNERAL AND BURIAL TRUST FUNDS, is returned for concurrence in Senate committee substitute and is referred to the Committee on Judiciary No. 4.

Committee Substitute for H. B. 892, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 143B-450.1 TO PROVIDE FOR PROVISIONAL DATA-GATHERING AUTHORITY IN THE ENERGY DIVISION OF THE DEPARTMENT OF COMMERCE, is returned for concurrence in Senate amendments and is placed on the Calendar for June 20, 1983.

H. B. 988, A BILL TO BE ENTITLED AN ACT TO REWRITE THE STATUTE UNDER WHICH NONPUBLIC POST-SECONDARY EDUCATIONAL INSTITUTIONS MAY BE LICENSED TO CONDUCT POST-SECONDARY DEGREE ACTIVITY IN NORTH CAROLINA, is returned for concurrence in Senate amendment and is placed on the Calendar for June 20, 1983.

H. B. 1026, A BILL TO BE ENTITLED AN ACT RELATING TO THE FORMATION OF NEW POLITICAL PARTIES TO CONFORM WITH FEDERAL COURT RULINGS, is returned for concurrence in Senate amendment and is placed on the Calendar for June 20, 1983.

Committee Substitute for S. B. 209, A BILL TO BE ENTITLED AN ACT TO AMEND THE MOTOR VEHICLE LAWS IN CHAPTER 20 OF THE GENERAL STATUTES TO CONFORM TRUCK WEIGHTS ON STATE HIGHWAYS TO THE FEDERAL BRIDGE FORMULA AND TO UPDATE THE STATUTE BY MAKING OTHER CHANGES, is read the first time and is referred to the Committee on Transportation.

S. B. 315, A BILL TO BE ENTITLED AN ACT REGARDING INSPECTIONS OF FIRE-DAMAGED PROPERTY WITH AN INSPECTION WARRANT, is read the first time and is referred to the Committee on Judiciary No. 2.

S. B. 338, A BILL TO BE ENTITLED AN ACT TO INCLUDE WITHIN THE STATUTORY PROVISIONS FOR THE DEFENSE OF STATE EMPLOYEES THOSE PERSONS OR PROFESSIONAL ASSOCIATIONS WHO PROVIDE MEDICAL AND DENTAL SERVICES TO PRISON INMATES AT THE REQUEST OF THE DEPARTMENT OF CORRECTION, is read the first time and is referred to the Committee on Judiciary No. 4.

CALENDAR

Action is taken on the following:

Committee Substitute for H. B. 455, A BILL TO BE ENTITLED AN ACT TO ESTABLISH UNIFORM REGULAR AND SPECIAL CONDITIONS OF PROBATION.

On motion of Representative Hunter, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 471, A BILL TO BE ENTITLED AN ACT TO REQUIRE A SUPERVISION FEE OF ALL PERSONS PLACED ON PAROLE.

On motion of Representative Hunter, the House concurs in the Senate amendment and the bill is ordered enrolled.

Committee Substitute for H. B. 744, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 14-320.1 TO RECOGNIZE CHILD CUSTODY ORDERS ISSUED IN OTHER STATES.

On motion of Representative Holt, the House concurs in the Senate amendment and the bill is ordered enrolled.

Committee Substitute for H. B. 947, A BILL TO BE ENTITLED AN ACT CONCERNING THE HARBORING OF INDIVIDUALS KNOWN TO BE THE SUBJECT OF OUTSTANDING WARRANTS FOR ARREST.

On motion of Representative Wicker, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 620, A BILL TO BE ENTITLED AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF SOUTHPORT AND TO REPEAL PRIOR LOCAL ACTS.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Anderson, Auman, Barbee, Barker, Beam, Beard, Black, Blue, Bowen, Brennan, Brown, Chapin, Childress, Church, Cochrane, J. W. Crawford, N. J. Crawford, Creecy, DeVane. Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Foster, Fussell, Gentry, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Holmes, Holt, C. Hughes, Hunt, Jarrell, Jeralds, Jones, Jordan, Keesee, Lambeth, Lancaster, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Robinson, Spaulding, Spoon, Stamey, Tennille, Thomas, Varner, Watkins, B. Woodard, C. Woodard, and Wright — 78.

Voting in the negative: None.

Excused absences: Representatives Brannan, Brubaker, Colton, Gillam, Gist, Ligon, Lilley, Payne, Rhodes, Seymour, and Warren — 11.

H. B. 1249, A BILL TO BE ENTITLED AN ACT TO INCLUDE TWO SATELLITE AREAS WITHIN THE CORPORATE LIMITS OF THE TOWN OF BAKERSVILLE, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Anderson, Auman, Barbee, Barker, Barnes, Beall, Beam, Beard, Black, Blue, Bowen, Brennan, Brown, Chapin, Childress, Church, Cochrane, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane. Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fletcher, Foster, Fussell, Gentry, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, Hunt, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Locks, Lutz, McAlister, McDowell, Mauney, Mavretic, Miller, Musselwhite, Nash, Nesbitt, Owens, Pool,

Poovey, Pulley, Quinn, Redding, Roberts, Robinson, Spaulding, Spoon, Stamey, Tennille, Thomas, Varner, Watkins, B. Woodard, C. Woodard, and Wright — 85.

Voting in the negative: None.

Excused absences: Representatives Brannan, Brubaker, Colton, Gillam, Gist, Ligon, Lilley, Payne, Rhodes, Seymour, and Warren — 11.

H. B. 656, A BILL TO BE ENTITLED AN ACT TO ANNEX CERTAIN TERRITORY TO THE TOWN OF WAKE FOREST.

Representative Musselwhite requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Anderson, Auman, Barbee, Barker, Barnes, Beall, Beam, Beard, Black, Blue, Bowen, Brennan, Brown, Chapin, Childress, Church, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane. Easterling, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fletcher, Foster, Fussell, Gentry, Greenwood, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, Hunt, Hunter, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lambeth, Lancaster, Lee, Locks, Lutz, McAlister, McDowell, Mauney, Mavretic, Miller, Murphy, Nesbitt, Owens, Pool, Poovey, Pulley, Quinn, Redding, Roberts, Robinson, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Varner, Watkins, B. Woodard, and Wright — 80.

Voting in the negative: Representative Lacey.

Excused absences: Representatives Brannan, Brubaker, Colton, Gillam, Gist, Ligon, Lilley, Payne, Rhodes, Seymour, and Warren — 11.

Excused votes: Representative Musselwhite.

Committee Substitute for H. B. 459, A BILL TO BE ENTITLED AN ACT EXEMPTING THE COUNTY OF GASTON FROM THE PROVISIONS OF ARTICLE 12, CHAPTER 160A OF THE GENERAL STATUTES, AS TO LEASES OF REAL ESTATE OWNED BY IT KNOWN AS GASTON MEMORIAL HOSPITAL PROPERTY AND THE SALE OF PERSONAL PROPERTY USED FOR THE HOSPITAL, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 849, A BILL TO BE ENTITLED AN ACT TO PERMIT EDGECOMBE COUNTY TO SELL IMPOUNDED DOGS AND CATS TO REGISTERED INSTITUTIONS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 204, A BILL TO BE ENTITLED AN ACT TO AMEND THE MACHINERY ACT, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Barbee, Barnes, Beall, Beam, Beard, Blue, Bowen, Brawley, Brennan, Brown, Chapin, Childress, Church, Cochrane, J. W. Crawford, N. J. Crawford, Creecy, DeVane,

Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Fletcher, Foster, Fussell, Gentry, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holt, Hudson, C. Hughes, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Locks, Lutz, McAlister, McDowell, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Pool, Poovey, Pulley, Quinn, Redding, Roberts, Robinson, Spaulding, Spoon, Tennille, Thomas, Tyndall, Watkins, Wicker, Womble, C. Woodard, and Wright — 86.

Voting in the negative: None.

Excused absences: Representatives Brannan, Brubaker, Colton, Gillam, Gist, Ligon, Lilley, Payne, Rhodes, Seymour, and Warren — 11.

S. B. 453, A BILL TO BE ENTITLED AN ACT TO AMEND THE AUTHORITY OF THE DEPARTMENT OF TRANSPORTATION TO SET FEES FOR SIGNS, SIGN PERMITS, AND JUNKYARD PERMITS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Barbee, Barker, Barnes, Beall, Beam, Beard, Blue, Bowen, Brawley, Brennan, Brown, Chapin, Childress, Church, Coble, Cochrane, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Fletcher, Foster, Fussell, Gentry, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holt, Hudson, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Robinson, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 92.

Voting in the negative: None.

Excused absences: Representatives Brannan, Brubaker, Colton, Gillam, Gist, Ligon, Lilley, Payne, Rhodes, Seymour, and Warren — 11.

H. B. 1212, A BILL TO BE ENTITLED AN ACT TO PERMIT CERTAIN DOGS IN INNS AND HOTELS.

Representative Barnes offers Amendment No. 2 which is adopted by electronic vote (95-2).

Representative Burnley offers Amendment No. 3 which is adopted by electronic vote (78-1).

On motion of Representative Quinn, seconded by Representative Fenner, the bill is tabled by electronic vote (61-31).

Committee Substitute for H. B. 179, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 50 OF THE GENERAL STATUTES TO ESTABLISH PROCEDURES TO INSURE PAYMENT OF CHILD SUPPORT.

On motion of Representative Hackney, consideration of the bill is postponed until June 22, 1983.

Committee Substitute for H. B. 180, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 15A OF THE GENERAL STATUTES TO ESTABLISH PROCEDURES TO INSURE PAYMENT OF CHILD SUPPORT.

On motion of Representative Hackney, consideration of the bill is postponed until June 22, 1983.

Committee Substitute for H. B. 1191, A BILL TO BE ENTITLED AN ACT TO EXEMPT PRIVATE HOMES OFFERING BED AN BREAKFAST ACCOMMODATIONS FROM THE FOOD AND LODGING REQUIREMENTS OF THE PUBLIC HEALTH LAWS.

Representative Evans calls the previous question on the passage of the bill and the call is sustained.

The bill passes its second reading by electronic vote (84-7).

Representative Evans objects to the third reading. The bill remains on the Calendar.

Committee Substitute No. 2 for H.B. 831, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PRESUMPTION IN FAVOR OF COMMUNITY PENALTIES FOR CERTAIN FELONS.

Representative Pulley moves, seconded by Representative Miller, that the bill do lie upon the table. This motion fails by electronic vote (40-57).

On motion of Representative Watkins, consideration of the bill is postponed until June 21, 1983.

Committee Substitute for H. B. 1003, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IF PROPERTY OWNED BY A LOCAL BOARD OF EDUCATION IS NO LONGER SUITABLE OR NECESSARY FOR PUBLIC SCHOOL PURPOSES, THE BOARD OF COUNTY COMMISSIONERS HAS THE FIRST OPPORTUNITY TO PURCHASE.

On motion of Representative Jarrell, consideration of the bill is postponed until June 20, 1983.

Committee Substitute for H. B. 1160, A BILL TO BE ENTITLED AN ACT TO MAKE THE EMPLOYEES OF THE AGENCY FOR PUBLIC TELECOMMUNICATIONS SUBJECT TO THE STATE PERSONNEL ACT, passes its second reading, by electronic vote (94-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 392, A BILL TO BE ENTITLED AN ACT TO REQUIRE PERSONS CONVICTED OF OFFENSES INVOLVING IMPAIRED DRIVING TO CARRY HIGHER AMOUNTS OF FINANCIAL RESPONSIBILITY FOR THREE YEARS OF DRIVING TIME.

Representative Beall offers Amendment No. 1 which is adopted.

Representative Hightower calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its second reading by electronic vote (77-20).

Representative Wicker objects to the third reading.

On motion of Representative Hightower, the third reading of the bill is postponed until June 22, 1983.

H. B. 945, A BILL TO BE ENTITLED AN ACT CONCERNING THE REPORTING OF CERTAIN TRANSACTIONS IN UNITED STATES CURRENCY, passes its second reading, by electronic vote (90-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 1196, A BILL TO BE ENTITLED AN ACT TO PLACE THE PRESIDENT OF THE NORTH CAROLINA SOCIETY OF FIRE INSTRUCTORS ON THE STATE FIRE COMMISSION.

On motion of Representative Anderson, consideration of the bill is postponed until June 21, 1983.

Committee Substitute for S. B. 392, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE AUTHORITY TO ISSUE CUSTODY ORDERS APPLICABLE TO JUVENILES WITHIN THE JUVENILE JURISDICTION OF THE DISTRICT COURT AND THE CRITERIA FOR CUSTODY ORDERS.

On motion of Representative Wright, Committee Amendment No. 1 is adopted.

Representative Wright offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (94-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendments.

S. B. 566, A BILL TO BE ENTITLED AN ACT TO GRANT TO GASOHOL A FIVE CENT PARTIAL EXEMPTION FROM THE GASOLINE AND SPECIAL FUELS TAX, passes its second reading, by electronic vote (96-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. J. R. 211, A JOINT RESOLUTION URGING THE UNITED STATES GOVERNMENT TO REFRAIN FROM OCEAN DISPOSAL OF DECOMMISSIONED NUCLEAR SUBMARINES OFF THE NORTH CAROLINA COAST.

H. J. R. 621, A JOINT RESOLUTION ENCOURAGING LOCAL BOARDS OF EDUCATION TO SCHEDULE TEACHER WORKDAYS WITHIN TEN DAYS OF ELECTION DAY ON ELECTION DAY.

H. B. 347, AN ACT TO AMEND CHAPTER 669 OF THE SESSION LAWS OF 1943, AS AMENDED, TO GIVE THE BOARD OF COMMISSIONERS OF THE COUNTY OF NEW HANOVER THE AUTHORITY TO TERMINATE THE RETIREMENT SYSTEM OF NEW HANOVER COUNTY, NORTH CAROLINA.

H. B. 366, AN ACT TO PROVIDE A SUPPLEMENTAL RETIREMENT FUND FOR FIREMEN IN THE CITY OF NEW BERN AND TO MODIFY THE APPLICATION OF G. S. 118-5, G. S. 118-6, AND G. S. 118-7 TO THE CITY OF NEW BERN.

H. B. 603, AN ACT TO AMEND CHAPTER 55 OF THE PRIVATE LAWS OF 1915, AS AMENDED, TO PROVIDE THAT THE POLICE PENSION FUND OF WILMINGTON SHALL BE ADMINISTERED BY THE PENSION BOARD OF THE CITY OF WILMINGTON.

H. B. 1070, AN ACT TO CLARIFY THAT JUDGES OF ELECTION, LIKE OTHER PRECINCT OFFICIALS, MAY REGISTER VOTERS ANYWHERE IN THE COUNTY.

S. B. 411, AN ACT TO PERMIT THE ISSUANCE OF REVENUE BONDS AND REVENUE NOTES BY THE STATE OF NORTH CAROLINA AND AGENCIES THEREOF AS HEREINAFTER AUTHORIZED BY THE GENERAL ASSEMBLY.

H. B. 1140, AN ACT TO PERMIT TAKING STRIPED BASS FROM THE TAR RIVER WITH BOW NETS AND DIP NETS UNDER CERTAIN CONDITIONS.

H. B. 456, AN ACT TO REINSTATE PORTIONS OF THE PREVIOUS PROVISIONS OF LAW REGARDING THE TREATMENT OF REEMPLOYED RETIREES IN THE LOCAL GOVERNMENTAL EMPLYEES' RETIREMENT SYSTEM AND THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM.

H. B. 832, AN ACT TO ACCELERATE THE PAROLE OF CERTAIN INMATES WHEN NECESSARY FOR EFFECTIVE PRISON MANAGEMENT.

S. B. 513, AN ACT TO ESTABLISH UNIQUE AND RELEVANT EDUCATION AND TRAINING STANDARDS FOR SHERIFFS, THEIR DEPUTIES, AND OTHER PERSONNEL.

S. B. 280, AN ACT TO AMEND AND CLARIFY THE PROVISIONS OF LAW RELATIVE TO THE NORTH CAROLINA PUBLIC EMPLOYEE DEFERRED COMPENSATION PLAN.

S. B. 404, AN ACT TO CLARIFY STATUTORY PROVISIONS REGARDING GOOD CONDUCT TIME CREDITS IN REDUCTION OF PRISON SENTENCES.

S. J. R. 468, A JOINT RESOLUTION REQUESTING THE STATE'S CONGRESSIONAL DELEGATION TO ENCOURAGE THE UNITED STATES FISH AND WILDLIFE SERVICE TO ADJUST THE FEDERAL BIRD HUNTING SEASON LIMITATIONS SO AS TO RESTORE TO THE WATERFOWL HUNTERS OF NORTH CAROLINA THE HUNTING DAYS LOST BY REASON OF THE STATE'S PROHIBITION OF HUNTING WITH FIREARMS ON SUNDAY.

On motion of Representative Hunt, seconded by Representative Miller, the House adjourns to reconvene Monday, June 20, 1983 at 7:00 p.m.

ONE HUNDRED FOURTEENTH DAY

HOUSE OF REPRESENTATIVES
Monday, June 20, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Lilley.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of June 17 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Brennan, Brubaker, Easterling, Foster, Pool, Slaughter, and B. Woodard for tonight.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative McAlister for the Committee on Water and Air Resources:

Committee Substitute for S. B. 188, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT COUNTIES AND CITIES MAY NOT AUTHORIZE THE CONSTRUCTION OF BUILDINGS OR STRUCTURES OF MORE THAN THREE STORIES OR THIRTY-FIVE FEET HIGH ON MOUNTAIN RIDGES AT ALTITUDES OF MORE THAN TWENTY-NINE HUNDRED AND FIFTY FEET AND PROVIDING FOR CERTAIN EXCEPTIONS, with an unfavorable report as to Senate Committee Substitute Bill No. 3, favorable as to House committee substitute bill, which changes the title.

The House committee substitute bill is placed on the Calendar for June 22, 1983. Senate Committee Substitute Bill No. 3 is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Evans:

H. B. 1314, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITIES TO SELL PROPERTY IN COMMUNITY DEVELOPMENT PROGRAMS TO REDEVELOPERS AT PRIVATE SALE, is referred to the Committee on Judiciary No. 3.

By Representatives Musselwhite and C. Hughes:

H. B. 1315, A BILL TO BE ENTITLED AN ACT TO CREATE A HOSPITAL LIEN FOR EMERGENCY HOSPITAL SERVICES AND TO ALLOW PROVIDERS OF MEDICAL SERVICES A LONGER TIME TO CLAIM A LIEN ON SUMS RECOVERED AS DAMAGES FOR PERSONAL INJURY, is referred to the Committee on Judiciary No. 1.

By Representatives C. Woodard, Allran, DeVane, Economos, Jarrell, Jones, and Wicker:

H. B. 1316, A BILL TO BE ENTITLED AN ACT TO MAKE IT A MISDEMEANOR TO HARBOR OR AID PERSONS WHO VIOLATE CONDITIONS OF PROBATION OR PERSONS WHOSE PROBATION HAS BEEN REVOKED, is referred to the Committee on Judiciary No. 2.

By Representatives C. Woodard, Beam, Brennan, Economos, Grimsley, Jones, Keesee, Locks, Lutz, and Owens:

H. B. 1317, A BILL TO BE ENTITLED AN ACT TO DIRECT THE SOCIAL SERVICES COMMISSION TO PERMIT REST HOME AIDES TO GIVE INSULIN SHOTS TO DIABETICS UPON LOCAL HEALTH BOARD CERTIFICATION, is referred to the Committee on Health.

By Representative B. Woodard:

H. B. 1318, A BILL TO BE ENTITLED AN ACT TO AMEND THE MEMBERSHIP COMPOSITION OF THE GOVERNOR'S WASTE MANAGEMENT BOARD, is referred to the Committee on State Government.

By Representative Wright:

H. B. 1319, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN CHANGES TO VARIOUS CONSUMER PROTECTION STATUTES, is referred to the Committee on Judiciary No. 2.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for House Committee Substitute for H. B. 291, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE NEW HANOVER COUNTY BOARD OF COMMISSIONERS SHALL BE ELECTED FROM DISTRICTS AND ONLY THE QUALIFIED VOTERS OF THE DISTRICT SHALL VOTE FOR THAT DISTRICT SEAT, AND TO EXPAND THE BOARD TO SEVEN SEATS, SUBJECT TO A REFERENDUM, is returned for concurrence in Senate Committee Substitute and is referred to the Committee on Local Government No. 2.

Senate Committee Substitute for H. B. 292, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE WILMINGTON CITY COUNCIL SHALL BE ELECTED FROM DISTRICTS AND ONLY THE QUALIFIED VOTERS OF THE DISTRICT SHALL VOTE FOR THAT DISTRICT SEAT; AND TO CHANGE THE FORM OF ELECTION TO PARTISAN; SUBJECT TO REFERENDUM, is returned for concurrence in Senate Committee Substitute and is referred to the Committee on Local Government No. 2.

H. B. 1089, A BILL TO BE ENTITLED AN ACT TO ALLOW COMMUNITY THEATRES TO QUALIFY FOR CERTAIN ABC PERMITS, is returned for concurrence in Senate amendments and is placed on the Calendar for June 21, 1983.

H. B. 1104, A BILL TO BE ENTITLED AN ACT TO REQUIRE EXTRATERRITORIAL REPRESENTATION ON THE PLANNING AGENCY WHEN MATTERS CONCERNING THE EXTRATERRITORIAL AREA ARE ACTED UPON, is returned for concurrence in Senate amendment and is placed on the Calendar for June 21, 1983.

Committee Substitute for S. B. 251, A BILL TO BE ENTITLED AN ACT TO PERMIT COUNTY COMMISSIONERS TO ADOPT SUBSTANTIALLY EQUIVALENT POLICIES FOR PORTIONS OF THE STATE PERSONNEL ACT FOR COUNTY EMPLOYEES SUBJECT TO CHAPTER 126, is read the first time and is referred to the Committee on State Personnel.

S. B. 333, A BILL TO BE ENTITLED AN ACT TO REDUCE THE YEARS A JUDGE MUST HAVE SERVED BEFORE RETIREMENT TO QUALIFY AS AN EMERGENCY JUDGE, is read the first time and is referred to the Committee on Pensions and Retirement.

S. J. R. 572, A JOINT RESOLUTION MEMORIALIZING THE CONGRESS TO PASS EMERGENCY LEGISLATION TO OPEN UP THE TREACHEROUS CHANNEL AT OREGON INLET, is read the first time and is referred to the Committee on Rules and Operation of the House.

S. B. 579, A BILL TO BE ENTITLED AN ACT TO REVISE THE LEASE PROVISIONS PERTAINING TO CULTIVATION OF OYSTERS AND CLAMS, is read the first time and is referred to the Committee on Commercial Fishing.

S. J. R. 584, A JOINT RESOLUTION CALLING UPON THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE TO APPOINT A LEGISLATIVE DELEGATION TO ATTEND CEREMONIES IN GREAT BRITAIN CELEBRATING THE FOUR HUNDREDTH ANNIVERSARY OF THE ROANOKE VOYAGES, is read the first time and is referred to the Committee on Rules and Operation of the House.

S. J. R. 586, A JOINT RESOLUTION HONORING LEE BURRUS NICHOLS, A FORMER MEMBER OF THE GENERAL ASSEMBLY, is read the first time and is referred to the Committee on Rules and Operation of the House.

S. J. R. 589, A JOINT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF DEFENSE TO COOPERATE WITH STATE AND LOCAL OFFICIALS TO PROVIDE COASTAL SURVEILLANCE TO AID IN DRUG LAW ENFORCEMENT, is read the first time and is referred to the Committee on Rules and Operation of the House.

S. B. 599, A BILL TO BE ENTITLED AN ACT TO ALLOW COMMUNITY WATER SYSTEMS THE SAME EXEMPTION FROM BOILER REGULATIONS AS NOW AVAILABLE TO PRIVATE RESIDENCES AND SMALL APARTMENT HOUSES FOR THEIR HYDROPNEUMATIC PRESSURE TANKS, is read the first time and is referred to the Committee on Public Utilities.

S. B. 618, A BILL TO BE ENTITLED AN ACT TO GIVE THE CITY OF EDEN AUTHORITY TO ABOLISH THE CITY OF EDEN EMPLOYEES' RETIREMENT SYSTEM UPON TRANSFER OF EMPLOYEES TO THE NORTH CAROLINA LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, is read the first time and is referred to the Committee on Pensions and Retirement.

CALENDAR

Action is taken on the following:

Committee Substitute for H. B. 384, A BILL TO BE ENTITLED AN ACT TO MAKE PERMANENT THE 120-DAY SPEEDY TRIAL LAW REQUIREMENT AND TO MAKE OTHER CHANGES.

On motion of Representative Gillam, the House concurs in the Senate amendment and the bill is ordered enrolled.

Committee Substitute for H. B. 513, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE FILING OF A NOTICE OF APPEAL IN ALL APPEALS TAKEN FROM DECISIONS OR ORDERS OF THE UTILITIES COMMISSION.

On motion of Representative Clark, the House concurs in the Senate amendment and the bill is ordered enrolled.

Committee Substitute for H. B. 892, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 143B-450.1 TO PROVIDE FOR PROVISIONAL DATA-GATHERING AUTHORITY IN THE ENERGY DIVISION OF THE DEPARTMENT OF COMMERCE.

On motion of Representative Hackney, the House concurs in two Senate amendments and the bill is ordered enrolled.

H. B. 942, A BILL TO BE ENTITLED AN ACT RELATING TO MUNICIPALITIES AND PROCEDURES FOR THE OPERATION AND FINANCING OF JOINT MUNICIPAL POWER AGENCIES.

On motion of Representative Lilley, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 988, A BILL TO BE ENTITLED AN ACT TO REWRITE THE STATUTE UNDER WHICH NONPUBLIC POST-SECONDARY EDUCATIONAL INSTITUTIONS MAY BE LICENSED TO CONDUCT POST-SECONDARY DEGREE ACTIVITY IN NORTH CAROLINA.

On motion of Representative Thomas, the House concurs in the Senate amendment, which changes the title and the bill to a House joint resolution, and the resolution is ordered enrolled.

H. B. 1026, A BILL TO BE ENTITLED AN ACT RELATING TO THE FORMATION OF NEW POLITICAL PARTIES TO CONFORM WITH FEDERAL COURT RULINGS.

On motion of Representative Gentry, the House concurs in the Senate amendment and the bill is ordered enrolled.

Representative James moves that S. B. 566, A BILL TO BE ENTITLED AN ACT TO GRANT TO GASOHOL A FIVE CENT PARTIAL EXEMPTION FROM THE GASOLINE AND SPECIAL FUELS TAX, be recalled from the Enrolling Office and this motion carries. The Speaker orders a Message sent to the Enrolling Office requesting the return of the bill for further consideration.

Representative James moves that the vote by which the bill passed its third reading be reconsidered and this motion carries. The Speaker rules that this motion carries by a two-thirds majority vote.

On motion of Representative James, the bill is placed on the Calendar for June 21, 1983.

S. B. 453, A BILL TO BE ENTITLED AN ACT TO AMEND THE AUTHORITY OF THE DEPARTMENT OF TRANSPORTATION TO SET FEES FOR SIGNS, SIGN PERMITS, AND JUNKYARD PERMITS, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brawley, Brown, Bumgardner, Chapin, Childress, Church, Clark, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Fussell, Gentry, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pulley, Rabon, Redding, Rhodes, Roberts, Seymour, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, C. Woodard, and Wright — 96.

Voting in the negative: None.

Excused absences: Representatives Brennan, Brubaker, Easterling, Foster, Helms, Pool, Slaughter, and B. Woodard — 8.

Representative Pulley moves that the bill be recalled from the Enrolling Office and this motion carries.

On motion of Representative Pulley, the vote by which the bill passed its third reading is reconsidered by electronic vote (92-2).

Representative Pulley offers Amendment No. 1 which is adopted by electronic vote (97-0).

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House amendment.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brawley, Brown, Bumgardner, Chapin, Childress, Church, Clark, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Poovey, Pulley, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, C. Woodard, and Wright — 99.

Voting in the negative: None.

Excused absences: Representatives Brennan, Brubaker, Easterling, Foster, Helms, Pool, Slaughter, and B. Woodard — 8.

Committee Substitute for H. B. 1191, A BILL TO BE ENTITLED AN ACT TO EXEMPT PRIVATE HOMES OFFERING BED AND BREAKFAST ACCOMMODATIONS FROM THE FOOD AND LODGING REQUIREMENTS OF THE PUBLIC HEALTH LAWS.

Representative Hunter offers Amendment No. 1 which fails of adoption by electronic vote (46-52).

The bill passes its third reading, by electronic vote (93-6), and is ordered sent to the Senate.

Committee Substitute for H. B. 1003, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IF PROPERTY OWNED BY A LOCAL BOARD OF EDUCATION IS NO LONGER SUITABLE OR NECESSARY FOR PUBLIC SCHOOL PURPOSES, THE BOARD OF COUNTY COMMISSIONERS HAS THE FIRST OPPORTUNITY TO PURCHASE.

On motion of Representative Seymour, consideration of the bill is postponed until June 21, 1983.

Committee Substitute for H. B. 1227, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITY AND COUNTY CLERKS TO ADMINISTER OATHS OF OFFICE, passes its second reading, by electronic vote (96-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 1273, A BILL TO BE ENTITLED AN ACT TO

ABOLISH THE EARTH RESOURCES COUNCIL, passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 775, A BILL TO BE ENTITLED AN ACT TO CLARIFY A SHERIFF'S PERSONAL LIABILITY FOR THE ACTS OF HIS DEPUTY, passes its second reading by electronic vote (83-20).

Representative Hackney objects to the third reading. The bill remains on the Calendar.

Committee Substitute for H. B. 926, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 58-40(a) RELATING TO THE LICENSING OF LIFE INSURANCE AGENTS, passes its second reading, by electronic vote (99-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S. J. R. 562, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF FATE JAMES BEAL, passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

Committee Substitute for H. B. 1035, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ISSUANCE OF A GOOD DRIVING REPORT BY A LAW ENFORCEMENT OFFFICER WHICH WILL REDUCE THE NUMBER OF DRIVER'S LICENSE POINTS CHARGED AGAINST AN INDIVIDUAL'S DRIVER'S LICENSE.

Representative Mavretic calls the previous question on the passage of the bill, and the call is sustained.

The bill passes its second reading by electronic vote (63-35).

Representative Wicker objects to the third reading. The bill remains on the Calendar.

Committee Substitute for H. B. 1239, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR DISPOSAL OF PERSONAL AND OTHER PROPERTY IN CONDEMNED BUILDINGS, passes its second reading, by electronic vote (90-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 1221, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN LIMITED PARTNERSHIP DEBT OBLIGATIONS FROM THE APPLICATION OF THE STATE'S INTEREST LAWS, passes its second reading, by electronic vote (88-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. J. R. 1080, A JOINT RESOLUTION DIRECTING THE STATE BOARD OF EDUCATION TO STUDY THE FEASIBILITY OF ALLOWING TEACHERS TO TAKE UP TO TWELVE MONTHS OF SABBATICAL LEAVE, passes its second reading by electronic vote (78-12).

Representative Colton objects to the third reading. The resolution remains on the Calendar.

H. B. 1237, A BILL TO BE ENTITLED AN ACT TO RESTORE THE 1975 LAW ON TERMINATION OF EMPLOYMENT OF A COUNTY SUPERVISOR OF ELECTIONS.

On motion of Representative Gentry, consideration of the bill is postponed until June 21, 1983.

H. B. 1254, A BILL TO BE ENTITLED AN ACT TO CHANGE THE DATE ON WHICH MEMBERS OF COUNTY BOARDS OF ELECTIONS, REGISTRARS AND JUDGES OF ELECTIONS ARE APPOINTED.

On motion of Representative Adams, Committee Amendment No. 1. is adopted.

The bill, as amended, passes its second reading, by electronic vote (97-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 1245, A BILL TO BE ENTITLED AN ACT TO MAKE THE RULE MAKING PROVISIONS OF THE ADMINISTRATIVE PROCEDURE ACT APPLICABLE TO THE INDUSTRIAL COMMISSION.

On motion of Representative Roberts, Committee Amendment No. 1 is adopted.

Representative Roberts offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (95-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

S. B. 550, A BILL TO BE ENTITLED AN ACT TO INCLUDE A WOMAN LAW ENFORCEMENT OFFICER ON THE CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION.

On motion of Representative Wicker, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (95-1).

Representative Barnes objects to the third reading. The bill remains on the Calendar.

S. B. 109, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE APPOINTMENT OF SPECIAL LIBRARY REGISTRATION DEPUTIES TO REGISTER VOTERS IN ALL PUBLIC LIBRARIES.

On motion of Representative Gentry, Committee Amendments Nos. 1 and 2 are adopted.

The bill, as amended, passes its second reading, by electronic vote (73-22), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendments.

Committee Substitute for S. B. 181, A BILL TO BE ENTITLED AN ACT TO MAKE JUDGES AND JUSTICES OF THE GENERAL COURT OF JUSTICE INACTIVE MEMBERS OF THE STATE BAR.

On motion of Representative Helms, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (81-16), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

S. B. 504, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE VENUE FOR THE TRIAL OF FELONY OFFENSES COMMITTED WITHIN THE CORPORATE LIMITS OF A MUNICIPALITY WHICH LIES WITHIN MORE THAN ONE COUNTY.

On motion of Representative Jarrell, consideration of the bill is postponed until June 21, 1983.

S. B. 429, A BILL TO BE ENTITLED AN ACT TO PROVIDE PAYMENT FOR ATTORNEYS OR GUARDIANS AD LITEM FOR CERTAIN PERSONS.

On motion of Representative Pulley, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading by electronic vote (87-3).

Representative Blue objects to the third reading. The bill remains on the Calendar.

On motion of Representative Womble, H. B. 1277, A BILL TO BE ENTITLED AN ACT TO ALLOW THE NORTH CAROLINA BAPTIST STATE CONVENTION TO PARTICIPATE IN ALL PLANNING AND ANNEXATION PLANS RELATING TO FORT CASWELL, is withdrawn from the Calendar of June 21, 1983 and is re-referred to the Committee on Local Government No. 2.

On motion of Representative Hackney, Committee Substitute No. 2 for H. B. 831, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PRESUMPTION IN FAVOR OF COMMUNITY PENALTIES FOR CERTAIN FELONS, is withdrawn from the Calendar of June 21, 1983 and is re-referred to the Committee on Corrections.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 455, AN ACT TO ESTABLISH UNIFORM REGULAR AND SPECIAL CONDITIONS OF PROBATION.

H. B. 471, AN ACT TO REQUIRE A SUPERVISION FEE OF ALL PERSONS PLACED ON PAROLE.

H. B. 744, AN ACT TO AMEND G. S. 14-320.1 TO RECOGNIZE CHILD CUSTODY ORDERS ISSUED IN OTHER STATES.

H. B. 947, AN ACT CONCERNING THE HARBORING OF INDIVIDUALS KNOWN TO BE THE SUBJECT OF OUTSTANDING WARRANTS FOR ARREST.

H. B. 1202, AN ACT TO REQUIRE THE FILING OF A NOTICE OF APPEAL WITHIN THIRTY DAYS IN ALL APPEALS TAKEN FROM DECISIONS OR ORDERS OF THE PROPERTY TAX COMMISSION.

H. B. 1288, AN ACT REGARDING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS RECEIVED AND EXPENDED IN PERSON COUNTY BETWEEN JULY 1, 1983, AND JUNE 30, 1985.

S. B. 90, AN ACT TO AMEND CHAPTER 15A OF THE GENERAL STATUTES TO ESTABLISH PROCEDURES TO INSURE PAYMENT OF CHILD SUPPORT.

S. B. 402, AN ACT TO MAKE CERTAIN REVISIONS AND ADDITIONS TO THE CREDIT UNION LAW.

S. B. 408, AN ACT TO AMEND THE LAW GOVERNING PLUMBING AND HEATING CONTRACTORS TO REDEFINE "HEATING, GROUP NUMBER THREE" AND "CONTRACTOR".

On motion of Representative Hunt, seconded by Representative Enloe, the House adjourns to reconvene June 21, 1983 at 1:30 p.m.

ONE HUNDRED FIFTEENTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, June 21, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Helms.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of June 20 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Brubaker, Foster, and Slaughter for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Church for the Committee on State Government:

S. B. 508, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATE TREASURER'S INVESTMENT AUTHORITY AND TO ENHANCE THE MANAGEMENT OF THE TRUST FUND INVESTMENT PROGRAM, with a favorable report, as amended.

By Representative Wright for the Committe on Judiciary No. 2:

Committee Substitute No. 1 for H. B. 436, A BILL TO BE ENTITLED AN ACT TO REVISE G. S. 1A-1, RULE 4(j1), RELATING TO SERVICE OF PROCESS BY NEWSPAPER PUBLICATION IN ORDER TO INCORPORATE COURT MANDATED REQUIREMENTS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with an unfavorable report as to Committee Substitute Bill No. 1, favorable as to Committee Substitute Bill No. 2.

Committee Substitute Bill No. 2 is placed on the Calendar for June 23, 1983. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H.B. 654, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PROCEDURE FOR REVOKING A CONSENT TO ADOPTION, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for June 23, 1983. The original bill is placed on the Unfavorable Calendar.

Senate Committee Substitute for H. B. 1042, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN FORECLOSURE SALES, with recommendation that the House concur.

On motion of Representative Wright, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Wright, the House concurs in the Senate committee substitute, which changes the title, and the bill is ordered enrolled.

By Representative Quinn for the Committee on Finance:

H. B. 9, A BILL TO BE ENTITLED AN ACT TO UPDATE THE SALES TAX EXEMPTION FOR MEDICAL EQUIPMENT, with a favorable report.

H. B. 28, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN UNLIMITED GIFT TAX EXCLUSION FOR CERTAIN EDUCATIONAL AND MEDICAL PAYMENTS, with a favorable report.

H. B. 426, A BILL TO BE ENTITLED AN ACT TO INCREASE STATE SALES AND USE TAXES TO FOUR PERCENT AND TO DISTRIBUTE ONE-HALF OF THE INCREASED REVENUE TO UNITS OF LOCAL GOVERNMENT, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for June 23, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 542, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ADDITIONAL INCOME TAX PERSONAL EXEMPTION FOR INDIVIDUALS AGE SEVENTY AND OVER, with an unfavorable report.

H. B. 1094, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MAXIMUM INCOME TAX DEDUCTION FOR CONTRIBUTIONS MADE BY INDIVIDUALS AGED 65 OR OVER TO RELIGIOUS AND OTHER NONPROFIT ORGANIZATIONS, with an unfavorable report.

H. B. 1156, A BILL TO BE ENTITLED AN ACT TO CLASSIFY FOR AD VALOREM TAX PURPOSES CERTAIN REAL PROPERTY OWNED BY NONPROFIT CORPORATIONS ORGANIZED FOR HISTORIC PRESERVATION PURPOSES, with a favorable report, as amended.

S. B. 356, A BILL TO BE ENTITLED AN ACT TO REVISE THE LEASE FEES PERTAINING TO SHELLFISH LEASES, with a favorable report.

S. B. 427, A BILL TO BE ENTITLED AN ACT TO CREATE THE AUCTIONEER RECOVERY FUND, with a favorable report.

By Representative Miller for the Committee on Judiciary No. 1:

H. B. 1258, A BILL TO BE ENTITLED AN ACT TO REVISE AND SIMPLIFY G. S. 8-56 REGARDING THE TESTIMONY OF SPOUSES IN CIVIL ACTIONS, with a favorable report.

H. B. 1284, A BILL TO BE ENTITLED AN ACT AUTHORIZING REGISTERS OF DEEDS TO MAINTAIN COMPUTER INDEXES, with a favorable report.

By Representative Thomas for the Committee on Higher Education:

H. B. 1059, A BILL TO BE ENTITLED AN ACT TO PROVIDE TUITION WAIVER FOR DEPENDENT CHILDREN OF NORTH CAROLINA PUBLIC SCHOOL TEACHERS, ATTENDING ANY OF THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA, with an unfavorable report as to bill, favorable as to committee substitute bill, and recommendation that the substitute bill be re-referred to the Committee on Appropriations.

The substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

S. B. 36, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR FOUR-YEAR TERMS FOR MEMBERS OF THE UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, with an unfavorable report.

By Representative B. Woodard for the Committee on Health:

Senate Committee Substitute for H. B. 551, A BILL TO BE ENTITLED AN ACT AMENDING THE COUNTY HOSPITAL ACT TO AUTHORIZE A COUNTY HOSPITAL TO ESTABLISH AND OPERATE BRANCH FACILITIES IN OTHER COUNTIES, with recommendation that the House concur.

On motion of Representative B. Woodard, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative B. Woodard, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

By Representative James for the Committee on Agriculture:

H. J. R. 1169, A JOINT RESOLUTION TO CREATE A STUDY COMMISSION TO EXAMINE ALTERNATIVES FOR INCREASING PUBLIC AWARENESS OF THE IMPORTANCE OF AGRICULTURE, FORESTRY, AND SEAFOOD IN NORTH CAROLINA, with a favorable report, as amended.

By Representative Lancaster for the Committee on Judiciary No. 3:

Senate Committee Substitute for H. B. 759, A BILL TO BE ENTITLED AN ACT TO SPECIFY A SUMMONS FOR TERMINATION OF PARENTAL RIGHTS CASES, TO PROVIDE FOR AN ANSWER IN SUCH CASES, AND TO SPECIFY WHO IS TO RECEIVE COPIES OF TERMINATION OF PARENTAL RIGHTS ORDERS, with recommendation that the House concur.

On motion of Representative Lancaster, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Lancaster, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

Committee Substitute No. 1 for H. B. 933, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALTERATION OF A MARRIAGE LICENSE WHEN A PARTY TO THE MARRIAGE LAWFULLY CHANGES HIS OR HER NAME, with an unfavorable report as to Committee Substitute Bill No. 1, favorable as to Committee Substitute Bill No. 2.

Committee Substitute Bill No. 2 is placed on the Calendar for June 23, 1983. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

On motion of Representative Barker, Senate Committee Substitute for House Committee Substitute for H. B. 124, A BILL TO BE ENTITLED AN ACT TO EXPAND THE USE OF OUTPATIENT INVOLUNTARY COMMITMENTS FOR THE MENTALLY ILL, is withdrawn from the Committee on Mental Health and is re-referred to the Committee on Judiciary No. 3.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Hudson:

H. B. 1320, A BILL TO BE ENTITLED AN ACT TO ALLOW POLITICAL SUBDIVISIONS TO EXERCISE ZONING JURISDICTION OVER FAMILY CARE HOMES, is referred to the Committee on Human Resources.

By Representative Hunt:

H. J. R. 1321, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY BOARDS, COMMISSIONS, AND COUNCILS IN THE EXECUTIVE BRANCH, is referred to the Committee on Rules and Operation of the House.

By Representatives Holmes, Allran, Ballance, Beam, Beard, Black, Blue, Brown, Burnley, Church, Cochrane, J. W. Crawford, DeVane, Diamont, Fletcher, Gentry, C. Hughes, Hunter, James, Jones, Keesee, Lacey, Lancaster, Lee, Lutz, Matthews, Mauney, Murphy, Musselwhite, Nesbitt, Owens, Poovey, Rabon, Robinson, Spoon, Tennille, Watkins, Wicker, and Wright:

H. B. 1322, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ANNUAL AUTOMOBILE SAFETY INSPECTIONS EXPIRE AT THE SAME TIME AS THE ANNUAL REGISTRATION RENEWAL STICKER, is referred to the Committee on Rules and Operation of the House.

By Representatives Hackney, Barnes, and Redding:

H. B. 1323, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CONTINUE THE SERVICES OF FAMILY VIOLENCE AND RAPE CRISIS VOLUNTEERS IN CHATHAM COUNTY, INCORPORATED, is referred to the Committee on Appropriations.

By Representatives Barnes, Hackney, and Redding:

H. B. 1324, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO CHATHAM TRADES, INCORPORATED, TO CONTINUE TO OPERATE A SHELTERED WORKSHOP IN SILER CITY, is referred to the Committee on Appropriations.

By Representative Hunter:

H. B. 1325, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO MCDOWELL COMMITTEE OF 100, INC., OF MCDOWELL COUNTY, is referred to the Committee on Appropriations.

By Representative Hunter:

H. B. 1326, A BILL TO BE ENTITLED AN ACT TO ALLOW A LIMITED DRIVING PRIVILEGE UPON CONVICTION OF SPEEDING VIOLATIONS, is referred to the Committee on Highway Safety.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for S. B. 383, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF AN AUTHORITY TO CONSTRUCT, MAINTAIN, AND OPERATE CIVIC CENTER FACILITIES IN CATAWBA COUNTY, is read the first time and is referred to the Committee on Local Government No. 1.

Committee Substitute for S. B. 481, A BILL TO BE ENTITLED AN ACT TO ESTABLISH QUALIFICATIONS FOR MEMBERS OF THE UTILITIES COMMISSION, is read the first time and is referred to the Committee on Public Utilities.

H. B. 1108, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 97-28 TO PERMIT THE USE OF LEAVE DURING THE FIRST SEVEN DAYS OF DISABILITY UNDER THE WORKER'S COMPENSATION ACT, is returned for concurrence in Senate amendment and is placed on the Calendar for June 22, 1983.

CALENDAR

Action is taken on the following:

H. B. 1089, A BILL TO BE ENTITLED AN ACT TO ALLOW COMMUNITY THEATRES TO QUALIFY FOR CERTAIN ABC PERMITS.

On motion of Representative Colton, the House concurs in the two Senate amendments, by electronic vote (69-33), and the bill is ordered enrolled.

H. B. 1104, A BILL TO BE ENTITLED AN ACT TO REQUIRE EXTRATERRITORIAL REPRESENTATION ON THE PLANNING AGENCY WHEN MATTERS CONCERNING THE EXTRATERRITORIAL AREA ARE ACTED UPON.

On motion of Representative Bruce Ethridge, the House concurs in the Senate amendment and the bill is ordered enrolled.

House Committee Substitute for Senate Committee Substitute for S. B. 107, A BILL TO BE ENTITLED AN ACT TO REVISE THE ANNEXATION LAWS.

Representative C. Woodard offers Amendment No. 1.

On motion of Representative Wright, seconded by Representative Blue, Amendment No. 1 is tabled by electronic vote (66-41).

Representative Church offers Amendment No. 2.

On motion of Representative Wright, seconded by Representative Quinn, Amendment No. 2 is tabled by electronic vote (75-33).

Representative Hudson offers Amendment No. 3.

On motion of Representative Wright, seconded by Representative Clark, Amendment No. 3 is tabled by electronic vote (71-39).

Representative Tyson offers Amendment No. 4.

On motion of Representative Wright, seconded by Representative Quinn, Amendment No. 4 is tabled by electronic vote (67-38).

Representative Wright calls the previous question on the passage of the bill and the call is sustained.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Allran, Auman, Barbee, Barker, Barnes, Beall, Beam, Berry, Black, Blue, Bowen, Brannan, Brennan, Chapin, Childress, Church, Clark, Coble, Colton, Cook, J. W. Crawford, N. J. Crawford, DeVane, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holt, Hudson, C. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lambeth, Lancaster, Lee, Lilley, Locks, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Quinn, Rabon, Rhodes, Roberts, Robinson, Seymour, Spoon, Stamey, Tennille, Thomas, Tyndall, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 93.

Voting in the negative: Representatives Ballance, Beard, Brawley, Brown, Bumgardner, Burnley, Cochrane, Diamont, J. Hughes, Lacey, Lutz, Poovey, Redding, and Tyson — 14.

Excused absences: Representatives Brubaker, Foster, Helms, and Slaughter — 4.

Committee Substitute for H. B. 775, A BILL TO BE ENTITLED AN ACT TO CLARIFY A SHERIFF'S PERSONAL LIABILITY FOR THE ACTS OF HIS DEPUTY, passes its third reading, by electronic vote (90-13), and is ordered sent to the Senate.

Committee Substitute for H. B. 1035, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ISSUANCE OF A GOOD DRIVING REPORT BY A LAW ENFORCEMENT OFFICER WHICH WILL REDUCE THE NUMBER OF DRIVER'S LICENSE POINTS CHARGED AGAINST AN INDIVIDUAL'S DRIVER'S LICENSE.

Representative Miller offers Amendment No. 1.

Representative Mavretic moves, seconded by Representative Wicker, that Amendment No. 1 do lie upon the table. This motion fails by electronic vote (35-66).

Amendment No. 1, which changes the title, is adopted by electronic vote (77-25).

Representative Coble moves, seconded by Representative C. Woodard, that the bill do lie upon the table. This motion fails by electronic vote (48-52).

The bill remains on the Calendar.

Committee Substitute for H. J. R. 1080, A JOINT RESOLUTION DIRECTING THE STATE BOARD OF EDUCATION TO STUDY THE FEASIBILITY OF ALLOWING TEACHERS TO TAKE UP TO TWELVE MONTHS OF SABBATICAL LEAVE, passes its third reading, by electronic vote (77-10), and is ordered sent to the Senate.

S. B. 372, A BILL TO BE ENTITLED AN ACT TO ASSURE THAT IF THE WESTERN RESIDENCE OF THE GOVERNOR IN ASHEVILLE IS DAMAGED OR DESTROYED, IT WILL BE REPAIRED.

The bill, as amended, passes its third reading, by electronic vote (86-5), and is ordered sent to the Senate for concurrence in House amendment.

S. B. 566, A BILL TO BE ENTITLED AN ACT TO GRANT TO GASOHOL A FIVE CENT PARTIAL EXEMPTION FROM THE GASOLINE AND SPECIAL FUELS TAX.

Representative James offers Amendment No. 1 which is adopted by electronic vote (89-0).

The bill, as amended, passes its third reading, by electronic vote (90-0), and is ordered sent to the Senate for concurrence in House amendment.

S. B. 550, A BILL TO BE ENTITLED AN ACT TO INCLUDE A WOMAN LAW ENFORCEMENT OFFICER ON THE CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION.

Representative Wicker offers Amendment No. 2 which is adopted by electronic vote (91-0).

The bill, as amended, passes its third reading, by electronic vote (96-0), and is ordered sent to the Senate for concurrence in House amendment.

S. B. 429, A BILL TO BE ENTITLED AN ACT TO PROVIDE PAYMENT FOR ATTORNEYS OR GUARDIANS AD LITEM FOR CERTAIN PERSONS.

On motion of Representative Pulley, consideration of the bill is postponed until June 27, 1983.

H. B. 1237, A BILL TO BE ENTITLED AN ACT TO RESTORE THE 1975 LAW ON TERMINATION OF EMPLOYMENT OF A COUNTY SUPERVISOR OF ELECTIONS, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 950, A BILL TO BE ENTITLED AN ACT TO PROHIBIT UNAUTHORIZED POSSESSION OF WEAPONS AND CERTAIN SUBSTANCES ON THE GROUNDS OF ANY MENTAL OR PENAL INSTITUTION, OR LOCAL CONFINEMENT FACILITY.

On motion of Representative Wicker, the bill is re-referred to the Committee on Judiciary No. 2.

Committee Substitute for H. B. 855, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A COMMISSION TO STUDY CREDIT INSURANCE AND INTEREST RATES IN NORTH CAROLINA AND TO DIRECT THE COMMISSIONERS OF INSURANCE AND BANKING TO GATHER SUCH INFORMATION AS REQUESTED BY THE STUDY COMMISSION.

On motion of Representative Evans, the bill is re-referred to the Committee on Appropriations.

SPECIAL MESSAGES FROM THE SENATE

The following Special Message is received from the Senate:

Senate Committee Substitute for House Committee Substitute for H. B. 278, A BILL TO BE ENTITLED THE TAX ADJUSTMENT ACT OF 1983, is returned for concurrence in Senate committee substitute.

On motion of Representative Quinn, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Quinn, the House does not concur in the Senate committee substitute and conferees are requested.

The Speaker announces the appointment of Representatives Quinn, Chairman; Miller, Watkins, Wicker, Adams, Barbee, and Mavretic as conferees and the Senate is so notified by Special Message.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. B. 357, AN ACT TO REVISE THE LICENSE PROVISIONS PERTAINING TO MARINE FISHERIES AND TO REPEAL THE SEAFOOD TAX.

H. B. 384, AN ACT TO MAKE PERMANENT THE 120-DAY SPEEDY TRIAL LAW REQUIREMENT AND TO MAKE OTHER CHANGES.

H. B. 513, AN ACT TO CLARIFY THE FILING OF A NOTICE OF APPEAL IN ALL APPEALS TAKEN FROM DECISIONS OR ORDERS OF THE UTILITIES COMMISSION.

H. B. 592, AN ACT TO ALLOW THE NEW HANOVER COUNTY BOARD OF EDUCATION TO PAY ITS TEN-MONTH EMPLOYEES ON OR BEFORE THE EIGHTEENTH DAY OF EACH MONTH.

H. B. 942, AN ACT RELATING TO MUNICIPALITIES AND PROCEDURES FOR THE OPERATION AND FINANCING OF JOINT MUNICIPAL POWER AGENCIES.

H. B. 892, AN ACT TO AMEND G. S. 143B-450.1 TO PROVIDE FOR PROVISIONAL DATA-GATHERING AUTHORITY IN THE ENERGY DIVISION OF THE DEPARTMENT OF COMMERCE.

H. B. 1026, AN ACT RELATING TO THE FORMATION OF NEW POLITICAL PARTIES TO CONFORM WITH FEDERAL COURT RULINGS.

H. J. R. 988, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE REGULATION OF NONPUBLIC AND PUBLIC POST-SECONDARY EDUCTIONAL INSTITUTIONS.

S. J. R. 562, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF FATE JAMES BEAL.

On motion of Representative Hunt, seconded by Representative Spaulding, the House adjourns to reconvene June 22, 1983 at 1:30 p.m.

ONE HUNDRED SIXTEENTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, June 22, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Grimsley.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of June 21 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Brubaker, Foster, Ligon, and Redding for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Lilley for the Committee on Local Government No. 1:

H. B. 657, A BILL TO BE ENTITLED AN ACT TO PROTECT THE INTEGRITY OF SWIFT CREEK TOWNSHIP, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for June 24, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 1263, A BILL TO BE ENTITLED AN ACT AUTHORIZING NEARBY COUNTIES TO JOIN IN THE BERTIE-MARTIN REGIONAL JAIL, with a favorable report.

H. B. 1287, A BILL TO BE ENTITLED AN ACT TO ALLOW CITIES AND COUNTIES TO REQUIRE PERSONS SPEAKING AT PUBLIC HEARING TO TESTIFY UNDER OATH OR AFFIRMATION, with a favorable report, as amended.

By Representative Fussell for the Committee on Highway Safety:

H. B. 1076, A BILL TO BE ENTITLED AN ACT TO INCREASE MINIMUM REQUIREMENT FOR FINANCIAL RESPONSIBILITY PROOF OR SECURITY DEPOSIT REQUIREMENTS TO FIVE HUNDRED DOLLARS, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for June 24, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 1252, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ALL SCHOOL BUSES BE EQUIPPED WITH SEAT BELTS BEFORE JANUARY 1, 1986, with an indefinite postponement report.

By Representative Lutz for the Committee on Local Government No. 2:

Senate Committee Substitute for House Committee Substitute for H. B. 291, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE NEW HANOVER COUNTY BOARD OF COMMISSIONERS SHALL BE ELECTED FROM DISTRICTS AND ONLY THE QUALIFIED VOTERS OF THE DISTRICT SHALL VOTE FOR THAT DISTRICT SEAT, AND TO EXPAND THE BOARD TO SEVEN SEATS, SUBJECT TO A REFERENDUM, with recommendation that the House concur.

On motion of Representative Lutz, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Lutz, the House concurs in the Senate committee substitute, which changes the title, and the bill is ordered enrolled.

Senate Committee Substitute for H. B. 292, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE WILMINGTON CITY COUNCIL SHALL BE ELECTED FROM DISTRICTS AND ONLY THE QUALIFIED VOTERS OF THE DISTRICT SHALL VOTE FOR THAT DISTRICT SEAT; AND TO CHANGE THE FORM OF ELECTION TO PARTISAN; SUBJECT TO REFERENDUM, with recommendation that the House concur.

On motion of Representative Lutz, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Lutz, the House concurs in the Senate committee substitute, which changes the title, and the bill is ordered enrolled.

H. B. 1277, A BILL TO BE ENTITLED AN ACT TO ALLOW THE NORTH CAROLINA BAPTIST STATE CONVENTION TO PARTICIPATE IN ALL PLANNING AND ANNEXATION PLANS RELATING TO FORT CASWELL, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for June 24, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Pulley for the Committee on Judiciary No. 4:

H. B. 763, A BILL TO BE ENTITLED AN ACT TO ASSURE EFFECTIVE PROSECUTION OF THE OFFENSE OF DRIVING WHILE LICENSE REVOKED WHEN A DEFENDANT HAS FAILED TO NOTIFY THE DIVISION OF MOTOR VEHICLES OF A CHANGE OF ADDRESS AS REQUIRED BY LAW, with an indefinite postponement report.

By Representative Chapin for the Committee on Commercial Fishing:

S. B. 511, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE REVIEW BY THE MARINE FISHERIES COMMISSION OF PROCLAMATIONS ISSUED BY THE SECRETARY OF THE NORTH CAROLINA DEPARTMENT OF NATURAL RESOURCES AND COMMUNITY DEVELOPMENT, with a favorable report.

S. B. 525, A BILL TO BE ENTITLED AN ACT TO ALLOW AREAS CLOSED FOR REASONS OF POLLUTION BY THE DIVISION OF MARINE FISHERIES TO BE REOPENED MORE QUICKLY, with a favorable report.

S. B. 579, A BILL TO BE ENTITLED AN ACT TO REVISE THE LEASE PROVISIONS PERTAINING TO CULTIVATION OF OYSTERS AND CLAMS, with a favorable report.

By Representative Quinn for the Committee on Finance:

House Committee Substitute for Senate Committee Substitute for S. B. 308, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NORTH CAROLINA ENERGY DEVELOPMENT AUTHORITY, with a favorable report.

By Representative Seymour for the Committee on Public Utilities:

S. B. 307, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTE PROVIDING AN ANNUAL FEE FOR EMERGENCY PLANNING FOR EACH FIXED NUCLEAR FACILITY WITHIN THE STATE OF NORTH CAROLINA TO INCLUDE SUCH FEE FOR ANY FACILITY WITH A PLUME EXPOSURE PATHWAY EMERGENCY PLANNING ZONE WHICH EXTENDS INTO THE STATE, with a favorable report.

By Representative Wicker for the Committee on Law Enforcement:

H. B. 1107, A BILL TO BE ENTITLED AN ACT TO ESTABLISH UNIQUE AND RELEVANT EDUCATION AND TRAINING STANDARDS FOR SHERIFFS, THEIR DEPUTIES, AND OTHER PERSONNEL, with an indefinite postponement report.

By Representative Helms for the Committee on Courts and Administration of Justice:

H. B. 1285, A BILL TO BE ENTITLED AN ACT TO PLACE IN THE ADMINISTRATIVE OFFICE OF THE COURTS THE AUTHORITY TO ADOPT REGULATIONS GOVERNING THE INDIGENT DEFENSE PROGRAM, with a favorable report.

SUSPENSION OF RULES TO INTRODUCE LOCAL BILL

On motion of Representative Bob Etheridge, Rule 31.1 is suspended by a two-thirds majority vote in order for a local bill to be filed.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committeee:

By Representative Seymour:

H. B. 1327, A BILL TO BE ENTITLED AN ACT TO INCREASE FUNDING FOR ENFORCEMENT OF THE MOTOR VEHICLE SAFETY INSPECTION PROGRAM AND TO INCREASE THE COMPENSATION OF INSPECTION STATIONS, is referred to the Committee on Finance.

By Representatives Colton, Beall, Black, Bowen, Brown, Chapin, N. J. Crawford, Edwards, Enloe, Evans, Greenwood, Grimsley, Holt, Jarrell, Jeralds, Keesee, Lacey, Owens, Seymour, and Wright:

H. J. R. 1328, A JOINT RESOLUTION ENCOURAGING THE SECRETARY OF TRANSPORTATION AND THE BOARD OF TRANSPORTATION TO INSTALL "LOGOS" ON ALL INTERSTATE HIGHWAYS, is referred to the Committee on Rules and Operation of the House.

By Representative Bruce Ethridge:

H. B. 1329, A BILL TO BE ENTITLED AN ACT TO INCREASE THE RATE OF SUPPORT IN SPECIALIZED COMMUNITY RESIDENTIAL CENTERS SERVING MENTALLY RETARDED CHILDREN, is referred to the Committee on Appropriations.

By Representative Clark:

H. B. 1330, A BILL TO BE ENTITLED AN ACT TO MAKE ISOLATED AMENDMENTS TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary No. 2.

By Representative Clark:

H. B. 1331, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS TECHNICAL AMENDMENTS TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is referred to the Committee on Judiciary No. 2.

By Representatives Tyndall, Ballance, Blue, J. W. Crawford, Bruce Ethridge, Fletcher, Fussell, Gentry, Hudson, Mavretic, and Womble:

H. B. 1332, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A PERSON ORDERED TO ATTEND D.W.I. SCHOOL SHALL ATTEND THE SCHOOL NEAREST HIS HOME UNLESS EXTENUATING CIRCUMSTANCES EXIST, is referred to the Committee on Judiciary No. 3.

By Representatives Spaulding and Berry:

H. B. 1333, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE POLICE/COMMUNITY RELATIONS TRAINING PROGRAM IN THE DEPARTMENT OF ADMINISTRATION, is referred to the Committee on Appropriations.

By Representatives James, Brawley, Brown, Enloe, Gentry, Grimsley, Lacey, Lambeth, Lilley, Locks, Lutz, McAlister, Mavretic, Murphy, Nash, Tyson, and Warren:

H. J. R. 1334, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE FEASIBILITY OF A FOOD DISTRIBUTION FACILITY ON THE DIX FARM PROPERTY IN RALEIGH, is referred to the Committee on Rules and Operation of the House.

By Representative Gillam:

H. B. 1335, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE MUNICIPALITIES OF N. C. TO PASS ON TO THE CONSUMERS THE REFUND RECEIVED FROM UTILITIES FOR OVERCHARGES ON ELECTRIC POWER, is referred to the Committee on Public Utilities.

By Representatives Barnes, Adams, and Watkins:

H. B. 1336, A BILL TO BE ENTITLED AN ACT TO REGULATE THE SALE OR LEASE OF INDUSTRIAL DEVELOPMENT OR ECONOMIC DEVELOPMENT PROPERTY ACQUIRED UNDER CHAPTER 511 OF THE SESSION LAWS OF 1983, is referred to the Committee on Local Government No. 1.

By Representatives J. Hughes, Brubaker, Creecy, Holmes, Ligon, and Thomas:

H. B. 1337, A BILL TO BE ENTITLED AN ACT TO REPEAL THE VEHICLE FINANCIAL RESPONSIBILITY ACT OF 1957 AND TO MAKE CORRESPONDING AMENDMENTS TO THE UNINSURED MOTORIST, REINSURANCE FACILITY, AND POLICY LAWS, is referred to the Committee on Insurance.

By Representatives Blue and Kennedy:

H. B. 1338, A BILL TO BE ENTITLED AN ACT REPLACING CHAPTER 14 OF THE GENERAL STATUTES WITH A NEW CRIMINAL CODE, is referred to the Committee on Judiciary No. 3.

By Representatives Payne, Ballance, Clark, Bruce Ethridge, and McDowell:

H. B. 1339, A BILL TO BE ENTITLED AN ACT REGARDING IDENTIFICATION AND LABELING OF TOXIC OR HAZARDOUS SUBSTANCES, is referred to the Committee on Water and Air Resources.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H. B. 1147, A BILL TO BE ENTITLED AN ACT TO INCREASE THE VALUE OF WORK THAT MAY BE DONE WITHOUT A BUILDING PERMIT FOR SMALL JOBS, is returned for concurrence in Senate amendment and is placed on the Calendar for June 23, 1983.

S. B. 524, A BILL TO BE ENTITLED AN ACT TO EXTEND DEATH BENEFITS UNDER THE WORKER'S COMPENSATION ACT, is read the first time and is referred to the Committee on manufacturers and Labor.

S. B. 547, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE RESPONSIBILITY OF THE STATE BOARD OF EDUCATION FOR THE STATE'S SCHOOL TRANSPORTATION SYSTEM, is read the first time.

On motion of Representative Anderson, the rules are suspended and the bill is placed before the House for immediate consideration.

Representative Anderson offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (101-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered returned to the Senate for concurrence in House amendment.

S. B. 608, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN RECORDED MAPS AND PLATS, is read the first time and is referred to the Committee on Judiciary No. 4.

S. B. 603, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SINGLE LEGAL AGE FOR INITIAL ENTRY INTO THE PUBLIC SCHOOL SYSTEM IN NORTH CAROLINA, is read the first time and is referred to the Committee on Education.

CALENDAR

Action is taken on the following:

H. B. 1108, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 97-28 TO PERMIT USE OF LEAVE DURING THE FIRST SEVEN DAYS OF DISABILITY UNDER THE WORKER'S COMPENSATION ACT.

On motion of Representative Hackney, the House concurs in the Senate amendment and the bill is ordered enrolled.

House Committee Substitute for Senate Committee Substitute for S. B. 107, A BILL TO BE ENTITLED AN ACT TO REVISE THE ANNEXATION LAWS.

Representative Wright offers Amendment No. 5 which is adopted by electronic vote (91-3).

Representative Wright calls the previous question on the passage of the bill, and the call is sustained.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Barker, Barnes, Beall, Beam, Bowen, Brannan, Brennan, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Colton, J. W. Crawford, N. J. Crawford, Creecy,

DeVane, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holt, Hudson, Hunt, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Owens, Payne, Pulley, Quinn, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Varner, Warren, Wicker, B. Woodard, and Wright — 85.

Voting in the negative: Representatives Ballance, Beard, Brown, Cochrane, Holmes, C. Hughes, Lacey, Poovey, Rabon, Rhodes, and Tyson — 11.

Excused absences: Representatives Brubaker, Foster, Ligon, and Redding — 4.

S. B. 356, A BILL TO BE ENTITLED AN ACT TO REVISE THE LEASE FEES PERTAINING TO SHELLFISH LEASES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Bowen, Brannan, Brawley, Brennan, Brown, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holmes, Holt, Hudson, C. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Nesbitt, Owens, Payne, Poovey, Pulley, Quinn, Rabon, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, B. Woodard, and Wright — 104.

Voting in the negative: None.

Excused absences: Representatives Brubaker, Foster, Ligon, and Redding — 4.

S. B. 427, A BILL TO BE ENTITLED AN ACT TO CREATE THE AUCTIONEER RECOVERY FUND, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Bowen, Brannan, Brawley, Brennan, Brown, Bumgardner, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Nesbitt, Owens, Payne, Poovey, Pulley, Rabon, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, and Wright — 102.

Voting in the negative: Representative Hasty.

Excused absences: Representatives Brubaker, Foster, Ligon, and Redding — 4.

Committee Substitute for H. B. 392, A BILL TO BE ENTITLED AN ACT TO REQUIRE PERSONS CONVICTED OF OFFENSES INVOLVING IMPAIRED

DRIVING TO CARRY HIGHER AMOUNTS OF FINANCIAL RESPONSIBILITY FOR THREE YEARS OF DRIVING TIME.

Representative Beall offers Amendment No. 2 which is adopted by electronic vote (99-0).

Representative Hightower calls the previous question on the passage of the bill, and the motion fails by electronic vote (46-60).

Representative Hightower moves that the bill be re-referred to the Committee on Insurance.

On motion of Representative Hasty, seconded by Representative Adams, the motion to re-refer is tabled by electronic vote (53-50).

On motion of Representative Blue, the vote by which the call for the previous question failed is reconsidered by electronic vote (103-6).

The call for the previous question on the passage of the bill is sustained.

The bill fails to pass its third reading by electronic vote (42-66).

Committee Substitute for H. B. 1035, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE ISSUANCE OF A GOOD DRIVING REPORT BY A MEMBER OF THE STATE HIGHWAY PATROL WHICH WILL REDUCE THE NUMBER OF DRIVER'S LICENSE POINTS CHARGED AGAINST AN INDIVIDUAL'S DRIVER'S LICENSE.

On motion of Representative Mavretic, the bill is ordered engrossed and re-referred to the Committee on Highway Safety.

Committee Substitute for H. B. 179, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 50 OF THE GENERAL STATUTES TO ESTABLISH PROCEDURES TO INSURE PAYMENT OF CHILD SUPPORT.

On motion of Representative Hackney, consideration of the bill is postponed until June 27, 1983.

Committee Substitute for H. B. 180, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 15A OF THE GENERAL STATUTES TO ESTABLISH PROCEDURES TO INSURE PAYMENT OF CHILD SUPPORT.

On motion of Representative Hackney, consideration of the bill is postponed indefinitely by electronic vote (89-2).

Committee Substitute for H. B. 567, A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES 14-107 TO MANDATE RESTITUTION FOR WORTHLESS CHECKS THROUGH COMMUNITY SERVICE WORK, IF NEEDED, passes its second reading, by electronic vote (92-3), and there being no objection is read a third time.

The bill passses its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 961, A BILL TO BE ENTITLED AN ACT TO MAKE IT UNLAWFUL FOR ANY PERSON TO BE INTOXICATED ON ANY HIGHWAY, passes its second reading, by electronic vote (83-13), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 541, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCOME TAX CREDIT FOR THE PURCHASE OF CONSERVATION TILLAGE EQUIPMENT FOR AGRICULTURE AND FORESTRY.

Representative Mavretic offers Amendment No. 1 which is adopted.

Representative Diamont offers Amendment No. 2 which is adopted.

Representative Creecy offers Amendment No. 3.

On motion of Representative James, seconded by Representative C. Woodard, Amendment No. 3 is tabled by electronic vote (59-31).

Representative Quinn calls the previous question on the passage of the bill, and the call is sustained.

The bill, as amended, passes its second reading by electronic vote (98-4).

Representative Hunt objects to the third reading. The bill remains on the Calendar.

Committee Substitute for H. B. 1003, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IF PROPERTY OWNED BY A LOCAL BOARD OF EDUCATION IS NO LONGER SUITABLE OR NECESSARY FOR PUBLIC SCHOOL PURPOSES, THE BOARD OF COUNTY COMMISSIONERS HAS THE FIRST OPPORTUNITY TO PURCHASE.

Representative Seymour offers Amendment No. 1 which is adopted.

Representative Tyndall offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

On motion of Representative Evans, the rules are suspended and S. J. R. 584, A JOINT RESOLUTION CALLING UPON THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE TO APPOINT A LEGISLATIVE DELEGATION TO ATTEND CEREMONIES IN GREAT BRITAIN CELEBRATING THE FOUR HUNDREDTH ANNIVERSARY OF THE ROANOKE VOYAGES, is withdrawn from the Committee on Rules and Operation of the House and is placed before the House for immediate consideration.

The bill passes its second reading, by electronic vote (96-6), and there being no objection is read a third time.

The bill passses its third reading and is ordered enrolled.

H. J. R. 1210, A JOINT RESOLUTION CALLING UPON THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE TO APPOINT A LEGISLATIVE DELEGATION TO ATTEND CEREMONIES IN GREAT BRITAIN CELEBRATING THE FOUR HUNDREDTH ANNIVERSARY OF THE ROANOKE VOYAGES.

On motion of Representative Evans, consideration of the bill is postponed until June 27, 1983.

H. J. R. 1211, A JOINT RESOLUTION MEMORIALIZING THE CONGRESS TO

PASS EMERGENCY LEGISLATION TO OPEN UP THE TREACHEROUS CHANNEL AT OREGON INLET, passes its second reading, by electronic vote (84-3), and there being no objection is read a third time.

The bill, passes its third reading and is ordered sent to the Senate.

H. B. 1196, A BILL TO BE ENTITLED AN ACT TO PLACE THE PRESIDENT OF THE NORTH CAROLINA SOCIETY OF FIRE INSTRUCTORS ON THE STATE FIRE COMMISSION.

Representative Anderson offers Amendment No. 1 which is adopted. This amendment changes the title.

The bill, as amended, passes its second reading, by electronic vote (84-2), and remains on the Calendar.

Representative Barbee presiding.

Committee Substitute No. 2 for H. B. 544, A BILL TO BE ENTITLED AN ACT TO REQUIRE A LAW ENFORCEMENT OFFICER WHO ARRESTS OR ISSUES A CITATION TO AN UNEMANCIPATED MINOR TO INFORM THE MINOR'S PARENTS OF THE ARREST OR CITATION, passes its second reading, by electronic vote (89-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 9, A BILL TO BE ENTITLED AN ACT TO UPDATE THE SALES TAX EXEMPTION FOR MEDICAL EQUIPMENT.

Representative Lilley offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (86-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 28, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN UNLIMITED GIFT TAX EXCLUSION FOR CERTAIN EDUCATIONAL AND MEDICAL PAYMENTS, passes its second reading, by electronic vote (92-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 1156, A BILL TO BE ENTITLED AN ACT TO CLASSIFY FOR AD VALOREM TAX PURPOSES CERTAIN REAL PROPERTY OWNED BY NONPROFIT CORPORATIONS ORGANIZED FOR HISTORIC PRESERVATION PURPOSES.

On motion of Representative Colton, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (95-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 1258, A BILL TO BE ENTITLED AN ACT TO REVISE AND SIMPLIFY G. S. 8-56 REGARDING THE TESTIMONY OF SPOUSES IN CIVIL ACTIONS, passes its second reading, by electronic vote (93-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 1284, A BILL TO BE ENTITLED AN ACT AUTHORIZING REGISTERS OF DEEDS TO MAINTAIN COMPUTER INDEXES, passes its second reading, by electronic vote (95-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

The Speaker presiding.

H. J. R. 1169, A JOINT RESOLUTION TO CREATE A STUDY COMMISSION TO EXAMINE ALTERNATIVES FOR INCREASING PUBLIC AWARENESS OF THE IMPORTANCE OF AGRICULTURE, FORESTRY,AND SEAFOOD IN NORTH CAROLINA.

On motion of Representative James, Committee Amendments Nos. 1, 2, 3, and 4 are adopted.

On motion of Representative James, the bill is ordered engrossed and re-referred to the Committee on Appropriations.

S. B. 504, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE VENUE FOR THE TRIAL OF FELONY OFFENSES COMMITTED WITHIN THE CORPORATE LIMITS OF A MUNICIPALITY WHICH LIES WITHIN MORE THAN ONE COUNTY.

On motion of Representative Varner, the bill is re-referred to the Committee on Courts and Administration of Justice.

INTRODUCTION OF BILLS AND RESOLUTIONS.

On motion of Representative Watkins, the rules are suspended and the following is read the first time:

By Representative Watkins:

H. J. R. 1345, A JOINT RESOLUTION EXPRESSING THE INTENT OF THE GENERAL ASSEMBLY CONCERNING THE REVISION OF THE OF THE ADMINISTRATIVE PROCEDURE ACT AND RULES PROMULGATED UNDER THAT ACT.

On motion of Representative Watkins, the rules are suspended and the resolution is placed before the House for immediate consideration.

Representative Watkins offers Amendment No. 1 which is adopted.

The resolution, as amended, passes its second reading by electronic vote (89-1), and there being no objection is read a third time.

The resolution, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

CALENDAR (continued)

House Committee Substitute for Senate Committee Substitute No. 3 for S. B. 188, A BILL TO BE ENTITLED AN ACT TO REGULATE THE HEIGHT OF TALL BUILDINGS OR STRUCTURES ON MOUNTAIN RIDGES.

On motion of Representative Diamont, consideration of the bill is postponed until June 23, 1983.

S. B. 508, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATE TREASURER'S INVESTMENT AUTHORITY AND TO ENHANCE THE MANAGEMENT OF THE TRUST FUND INVESTMENT PROGRAM.

On motion of Representative Church, Committee Amendment No. 1 is adopted.

On motion of Representative Church, the bill is re-referred to the Committee on Pensions and Retirement.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 22, 1983

Mr. Speaker:

Pursuant to your message that the House of Representatives fails to concur in the Senate committee substitute for House committee substitute for H. B. 278, A BILL TO BE ENTITLED AN ACT TO ENACT THE TAX ADJUSTMENT ACT OF 1983, and requests conferees, the President appoints Senators Rauch, Chairman; Duncan, Ollie Harris, Harrington, Hardison, Royall, and Lawing on the part of the Senate to confer with a like committee on the part of the House to the end that the differences between the two Bodies may be resolved.

Respectfully
S/ SYLVIA M. FINK
Principal Clerk

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

S. J. R. 409, A JOINT RESOLUTION HONORING THE BRAVE LIFE OF ANTHONY CLYDE CORN, is read the first time and is referred to the Committee on Rules and Operation of the House.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 193, AN ACT TO MAKE AMENDMENTS CONCERNING THE ADVISORY BUDGET COMMISSION TO BOND ACTS TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE ON SEPARATION OF POWERS.

H. B. 551, AN ACT AMENDING THE COUNTY HOSPITAL ACT TO AUTHORIZE A COUNTY HOSPITAL TO ESTABLISH AND OPERATE BRANCH FACILITIES IN OTHER COUNTIES.

H. B. 648, AN ACT TO ALLOW THE TRANSYLVANIA COUNTY BOARD OF EDUCATION TO TRANSFER CERTAIN PROPERTY TO NONPROFIT CIVIC IMPROVEMENT ORGANIZATIONS.

H. B. 731, AN ACT TO AUTHORIZE THE TYRRELL COUNTY BOARD OF EDUCATION TO ENTER INTO CERTAIN CONTRACTS WITHOUT COMPLYING WITH THE PROVISIONS OF CHAPTER 133 AND OF ARTICLE 8 OF CHAPTER 143 OF THE GENERAL STATUTES.

H. B. 759, AN ACT TO SPECIFY A SUMMONS FOR TERMINATION OF PARENTAL RIGHTS CASES, TO PROVIDE FOR AN ANSWER IN SUCH CASES, AND TO SPECIFY WHO IS TO RECEIVE COPIES OF TERMINATION OF PARENTAL RIGHTS ORDERS.

H. B. 1042, AN ACT TO VALIDATE CERTAIN FORECLOSURE AND LEGAL ADVERTISEMENT SALES.

H. B. 1089, AN ACT TO ALLOW COMMUNITY THEATRES TO QUALIFY FOR CERTAIN ABC PERMITS.

H. B. 1104, AN ACT TO REQUIRE EXTRATERRITORIAL REPRESENTATION ON THE PLANNING AGENCY WHEN MATTERS CONCERNING THE EXTRATERRITORIAL AREA ARE ACTED UPON.

H. B. 716, AN ACT TO ASSURE UNEMPLOYMENT INSURANCE TRUST FUND SOLVENCY AND COMPLIANCE WITH FEDERAL LAW.

H. B. 1214, AN ACT TO ALLOW A WRITTEN WAIVER OF APPEARANCE BY DEFENDANTS CHARGED WITH HUNTING, FISHING, OR BOATING OFFENSES.

On motion of Representative Hunt, seconded by Representative Bumgardner, the House adjourns to reconvene June 23, 1983 at 1:30 p.m.

ONE HUNDRED SEVENTEENTH DAY

HOUSE OF REPRESENTATIVES
Thursday, June 23, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend Dan Sapp, Christ Episcopal Church, Raleigh, North Carolina.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of June 22 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Brubaker, Fenner, Hauser, and Ligon for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Miller for the Committee on Judiciary No. 1:

H. B. 575, A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN OBSCENITY STATUTES, with a favorable report, as amended.

H. B. 1054, A BILL TO BE ENTITLED AN ACT PERTAINING TO CERTIFICATION REQUIREMENTS FOR SPEECH-LANGUAGE SPECIALISTS EMPLOYED IN THE PUBLIC SCHOOLS, with an indefinite postponement report.

By Representative Bumgardner for the Committee on Transportation:

H. B. 1266, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN TRAILER CONVERTERS FROM THE MOTOR VEHICLE REGISTRATION REQUIREMENTS, with a favorable report.

Committee Substitute for S. B. 298, A BILL TO BE ENTITLED AN ACT TO ALLOW ISSUANCE OF FICTITIOUS DRIVERS' LICENSES AND REGISTRATION PLATES FOR ALCOHOL LAW ENFORCEMENT AGENTS AND DIVISION OF MOTOR VEHICLES LAW ENFORCEMENT PERSONNEL, with a favorable report.

By Representative Wright for the Committee on Judiciary No. 2:

H. B. 1316, A BILL TO BE ENTITLED AN ACT TO MAKE IT A MISDEMEANOR TO HARBOR OR AID PERSONS WHO VIOLATE CONDITIONS OF PROBATION OR PERSONS WHOSE PROBATION HAS BEEN REVOKED, with a favorable report.

By Representative Economos for the Committee on Aging:

H. B. 42, A BILL TO BE ENTITLED AN ACT TO AMEND DOMICILIARY HOME COMMUNITY ADVISORY COMMITTEES, with an indefinite postponement report.

H. B. 46, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT MEMBERS OF NURSING HOME COMMUNITY ADVISORY COMMITTEE MEMBERS MAY BE DEFENDED PURSUANT TO CHAPTER 143 OF THE GENERAL STATUTES, with an indefinite postponement report.

By Representative Lambeth for the Committee on Wildlife Resources:

H. B. 845, A BILL TO BE ENTITLED AN ACT TO PROHIBIT HUNTING DEER WITH DOGS IN PART OF RICHMOND COUNTY, with an indefinite postponement report.

By Representative Pulley for the Committee on Judiciary No. 4:

Senate Committee Substitute for House Committee Substitute No. 2 for H. B. 800, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 65 RELATING TO FUNERAL AND BURIAL TRUST FUNDS, with recommendation that the House do not concur; request conferees.

On motion of Representative Pulley, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Pulley, the House does not concur in the Senate committee substitute and conferees are requested.

The Speaker announces the appointment of Representatives Pulley, Chairman; Hunter, and Brennan as conferees and the Senate is so notified by Special Message.

By Representative Hunt for the Committee on Rules and Operation of the House:

H. B. 724, A BILL TO BE ENTITLED AN ACT TO LIMIT MOTORBOAT NOISE ON VARIOUS LAKES, with a favorable report, as amended.

H. J. R. 1170, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY WHETHER THE FEEDING OF GARBAGE TO SWINE SHOULD BE PROHIBITED, with an unfavorable report.

H. J. R. 1194, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY HEALTH PROFESSIONALS FOR NORTH

CAROLINA, with a favorable report and recommendation that the resolution be re-referred to the Committee on Appropriations.

H. B. 1246, A BILL TO BE ENTITLED AN ACT TO CONTINUE A LEGISLATIVE COMMISSION TO STUDY THE WATER POLLUTION PROBLEMS AND WATER RESOURCES NEEDS OF THE CHOWAN RIVER BASIN AND THE ALBEMARLE SOUND BASIN, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

H. J. R. 1292, A JOINT RESOLUTION TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY POLICIES DETERMINING THE REGULATION OF ALCOHOLIC BEVERAGES ON STATE PROPERTY, with a favorable report and recommendation that the resolution be re-referred to the Committee on Appropriations.

H. J. R. 1308, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE LOCAL FINANCING OF COMMUNITY COLLEGES, with a favorable report.

S. J. R. 586, A JOINT RESOLUTION HONORING LEE BURRUS NICHOLS, A FORMER MEMBER OF THE GENERAL ASSEMBLY, with a favorable report.

S. J. R. 589, A JOINT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF DEFENSE TO COOPERATE WITH STATE AND LOCAL OFFICIALS TO PROVIDE COASTAL SURVEILLANCE TO AID IN DRUG LAW ENFORCEMENT, with a favorable report.

By Representative Quinn for the Committee on Finance:

H. B. 1201, A BILL TO BE ENTITLED AN ACT TO CHANGE THE ELIGIBILITY REQUIREMENTS FOR USE-VALUE CLASSIFICATION OF AGRICULTURAL LAND, with a favorable report, as amended.

S. B. 490, A BILL TO BE ENTITLED AN ACT TO PERMIT DEDUCTION OF CERTAIN EMPLOYEE CONTRIBUTIONS TO QUALIFIED RETIREMENT PLANS, with a favorable report and recommendation that the bill be re-referred to the Committee on Pensions and Retirement.

By Representative Hightower for the Committee on Insurance:

H. B. 1006, A BILL TO BE ENTITLED AN ACT TO REQUIRE DESIGNATED AGENTS TO BE BONDED, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for June 27, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Wicker for the Committee on Law Enforcement:

H. B. 1173, A BILL TO BE ENTITLED AN ACT TO MODIFY THE BURDEN OF PROOF AND PUNISHMENT FOR ALLOWING PRISONERS TO ESCAPE, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for June 27, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Lancaster for the Committee on Judiciary No. 3:

H. B. 282, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR INCREASED

PENALTIES FOR THE DRIVER OF ANY MOTOR VEHICLE FAILING TO YIELD TO A PEDESTRIAN IN A SCHOOL CROSSWALK, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for June 27, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 785, A BILL TO BE ENTITLED AN ACT TO BE KNOWN AS THE NORTH CAROLINA TIME SHARE ACT AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with an unfavorable report as to bill, favorable as to committee substitute bill, and recommendation that the bill be re-referred to the Committee on Finance.

The substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H. B. 1283, A BILL TO BE ENTITLED AN ACT TO PROHIBIT CITIES FROM REQUIRING DEDICATION OF WATER SYSTEMS AS PART OF SUBDIVISION REGULATIONS APPLICABLE TO AREAS OUTSIDE OF THE CITY LIMITS, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for June 27, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Seymour for the Committee on Public Utilities:

S. B. 599, A BILL TO BE ENTITLED AN ACT TO ALLOW COMMUNITY WATER SYSTEMS THE SAME EXEMPTION FROM BOILER REGULATIONS AS NOW AVAILABLE TO PRIVATE RESIDENCES AND SMALL APARTMENT HOUSES FOR THEIR HYDROPNEUMATIC PRESSURE TANKS, with an unfavorable report as to bill, favorable as to House committee substitute bill.

The House committee substitute bill is placed on the Calendar for June 27, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Pulley for the Committee on Judiciary No. 4:

H. B. 645, A BILL TO BE ENTITLED AN ACT TO RECODIFY THE PUBLIC HOSPITAL LAWS IN CHAPTER 131 OF THE GENERAL STATUTES, with an unfavorable report as to bill, favorable as to committee substitute bill, as amended, which changes the title, and recommendation that the bill be re-referred to the Committee on Finance.

On motion of Representative Pulley, Committee Amendment No. 1 is adopted.

The substitute bill is ordered engrossed and re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Clark for the Committee on Alcoholic Beverage Control:

H. B. 130, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE WINE WHOLESALERS TO SELL WINE TO CHURCHES AND MINISTERS, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title, and recommendation that the substitute bill be re-referred to the Committee on Finance.

The substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

SUSPENSION OF RULES TO INTRODUCE LOCAL BILL

On motion of Representative Beall, Rule 31.1 is suspended by a two-thirds majority vote in order for a local bill to be filed.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Hudson:

H. B. 1340, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AND DEFINE THE STATE'S RESPONSIBILITY FOR FINANCING OPERATION OF PLANT COSTS IN THE PUBLIC SCHOOLS, is referred to the Committee on Appropriations.

By Representatives Hauser, Ballance, Berry, Brawley, Childress, Cochrane, Creecy, Gist, Hackney, Jeralds, Kennedy, Lacey, Locks, Tennille, Warren, Womble, and C. Woodard:

H. B. 1341, A BILL TO BE ENTITLED AN ACT TO ADD THE PRESIDENT OF THE GENERAL ALUMNI ASSOCIATION OF EACH CONSTITUENT INSTITUTION OF THE UNIVERSITY OF NORTH CAROLINA TO THE BOARD OF TRUSTEES OF EACH INSTITUTION, is referred to the Committee on Higher Education.

By Representatives Bob Etheridge and Wicker:

H. B. 1342, A BILL TO BE ENTITLED AN ACT TO LIMIT THE USE OF CENTER-FIRE RIFLES IN HARNETT COUNTY, is referred to the Committee on Local Government No. 2.

By Representatives Kennedy, Ballance, Beam, Berry, Bowen, Childress, Colton, N. J. Crawford, Creecy, Enloe, Greenwood, Hauser, Hunter, Jarrell, Lancaster, Locks, Roberts, Tennille, Varner, and Womble:

H. B. 1343, A BILL TO BE ENTITLED AN ACT TO PROTECT ARTISTS' RIGHTS IN ARTWORK ON CONSIGNMENT, is referred to the Committee on Judiciary No. 1.

By Representative Holt:

H. B. 1344, A BILL TO BE ENTITLED AN ACT TO AMEND QUALIFICATIONS FOR LICENSURE FOR NURSING HOME ADMINISTRATORS, is referred to the Committee on State Government.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for House Committee Substitute No. 2 for H. B. 38, A BILL TO BE ENTITLED AN ACT TO REWRITE AND REPEAL CERTAIN CRIMINAL STATUTES REGARDING CONTRACTS BETWEEN LANDLORDS AND TENANTS, is returned for concurrence in Senate committee substitute and is placed on the Calendar for June 24, 1983.

Committee Substitute for H. B. 737, A BILL TO BE ENTITLED AN ACT TO AMEND THE EMPLOYMENT SECURITY LAW TO ASSURE FEDERAL COMPLIANCE AND OTHER TECHNICAL AMENDMENTS, is returned for concurrence in Senate amendment and is placed on the Calendar for June 24, 1983.

Committee Substitute for S. B. 506, A BILL TO BE ENTITLED AN ACT TO

STRENGTHEN THE ROLE OF POLITICAL PARTIES IN ELECTION FINANCING, is read the first time and is referred to the Committee on Election Laws.

Committee Substitute for S. B. 387, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 1 OF CHAPTER 87 OF THE GENERAL STATUTES AS THE SAME RELATES TO BUILDERS OF RESIDENTIAL HOUSING, is read the first time and is referred to the Committee on Housing.

S. B. 567, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 10 OF CHAPTER 115C OF THE GENERAL STATUTES PERTAINING TO VOCATIONAL EDUCATION, is read the first time and is referred to the Committee on Education.

CALENDAR

Action is taken on the following:

H. B. 1147, A BILL TO BE ENTITLED AN ACT TO INCREASE THE VALUE OF WORK THAT MAY BE DONE WITHOUT A BUILDING PERMIT FOR SMALL JOBS.

On motion of Representative Jordan, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 1263, A BILL TO BE ENTITLED AN ACT AUTHORIZING NEARBY COUNTIES TO JOIN IN THE BERTIE-MARTIN REGIONAL JAIL, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S. B. 356, A BILL TO BE ENTITLED AN ACT TO REVISE THE LEASE FEES PERTAINING TO SHELLFISH LEASES, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Anderson, Auman, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brown, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Fletcher, Foster, Fussell, Gentry, Gist, Greenwood, Grimsley, Hasty, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, Hunter, Huskins, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Nash, Nesbitt, Owens, Pool, Poovey, Quinn, Redding, Rhodes, Roberts, Seymour, Slaughter, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Womble, B. Woodard, C. Woodard, and Wright — 91.

Voting in the negative: None.

Excused absences: Representatives Brubaker, Fenner, Hauser, and Ligon — 4.

S. B. 427, A BILL TO BE ENTITLED AN ACT TO CREATE THE AUCTIONEER RECOVERY FUND, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Anderson, Auman, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brown, Bumgardner, Chapin, Childress, Church, Clark, Cochrane, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge,

Bruce Ethridge, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hayden, Helms, Hightower, Holmes, Holt, Hudson, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Nash, Nesbitt, Owens, Pool, Poovey, Quinn, Rhodes, Roberts, Seymour, Slaughter, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 92.

Voting in the negative: Representatives Hasty and Redding — 2.

Excused absences: Representatives Brubaker, Fenner, Hauser, and Ligon — 4.

Committee Substitute for H. B. 426, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE VARIOUS TRANSIENT OCCUPANCY TAXES, TO AUTHORIZE COUNTIES TO LEVY ONE-HALF PERCENT SALES AND USE TAXES, TO ALLOW LOCALITIES TO SPEND SALES TAX REVENUE ON HOUSING, AND TO CHANGE THE METHOD OF FUNDING FOR MEMBERS OF THE LAW ENFORCEMENT OFFICERS' RETIREMENT SYSTEM WHO ARE LOCAL GOVERNMENT EMPLOYEES.

Representative Barbee offers Amendment No. 1 which is ruled to be material. The amendment is adopted by the following vote.

Those voting in the affirmative are: Representatives Anderson, Auman, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Bowen, Brannan, Brawley, Brennan, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Colton, Cook, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fletcher, Foster, Fussell, Gentry, Gillam, Greenwood, Grimsley, Hackney, Hasty, Hayden, Helms, Hightower, Holmes, Holt, Hudson, Hunt, Hunter, Huskins, James, Jeralds, Jones, Jordan, Keesee, Lambeth, Lancaster, Lee, Lilley, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Pulley, Quinn, Rabon, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 95.

Voting in the negative: Representatives Allran, Brown, Cochrane, C. Hughes, J. Hughes, Kennedy, Lacey, Locks, Poovey, Redding, and Spaulding — 11.

Excused absences: Representatives Brubaker, Fenner, Hauser, and Ligon — 4.

Representative C. Hughes offers Amendment No. 2.

On motion of Representative Quinn, seconded by Representative Anderson, Amendment No. 2 is tabled by electronic vote (85-18).

Representative Lilley offers Amendment No. 3.

On motion of Representative Barbee, seconded by Representative Quinn, Amendment No. 3 is tabled by electronic vote (82-23).

Representative Brawley offers Amendment No. 4.

On motion of Representative Watkins, seconded by Representative Wicker, Amendment No. 4 is tabled by electronic vote (87-19).

Representative Rabon offers Amendment No. 5 which is ruled to be material. The amendment is adopted by the following vote.

Those voting in the affirmative are: Representatives Adams, Anderson, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Bowen, Brannan, Brennan, Brown, Bumgardner, Church, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hayden, Helms, Hightower, Hudson, Hunt, Hunter, James, Jarrell, Jeralds, Jones, Keesee, Lacey, Lambeth, Lancaster, Lee, Lutz, McAlister, Matthews, Mauney, Mavretic, Murphy, Nash, Nesbitt, Owens, Payne, Pool, Quinn, Rabon, Rhodes, Roberts, Seymour, Slaughter, Spaulding, Spoon, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, and B. Woodard — 82.

Voting in the negative: Representatives Allran, Auman, Brawley, Burnley, Chapin, Childress, Coble, Cochrane, Holmes, Holt, C. Hughes, J. Hughes, Huskins, Jordan, Kennedy, Lilley, McDowell, Miller, Poovey, Pulley, Redding, Robinson, Tennille, Womble, C. Woodard, and Wright — 26.

Excused absences: Representatives Brubaker, Fenner, Hauser, and Ligon — 4.

Representative Seymour offers Amendment No. 6 which is ruled to be material. The amendment fails of adoption by the following vote.

Those voting in the affirmative are: Representatives Beall, Beard, Black, Bowen, Brannan, Brennan, Chapin, Clark, Colton, Easterling, Economos, Fletcher, Foster, Greenwood, Grimsley, Hasty, Helms, Holmes, Hudson, Keesee, Lancaster, Mauney, Mavretic, Payne, Quinn, Rabon, Rhodes, Roberts, Seymour, Slaughter, Spoon, Thomas, Tyson, and Wright — 34.

Voting in the negative: Representatives Allran, Anderson, Auman, Barbee, Barker, Barnes, Berry, Blue, Brawley, Brown, Bumgardner, Burnley, Childress, Church, Coble, Cochrane, Cook, N. J. Crawford, Creecy, DeVane, Diamont, Edwards, Enloe, Bruce Ethridge, Fussell, Gentry, Gillam, Gist, Hackney, Hightower, Holt, C. Hughes, J. Hughes, Hunter, Huskins, Jarrell, Jeralds, Jones, Jordan, Kennedy, Lacey, Lambeth, Lee, Lilley, Locks, McAlister, McDowell, Matthews, Miller, Murphy, Nash, Nesbitt, Owens, Pool, Poovey, Pulley, Redding, Robinson, Spaulding, Tennille, Varner, Watkins, Wicker, Womble, B. Woodard, and C. Woodard — 66.

Excused absences: Representatives Brubaker, Fenner, Hauser, and Ligon — 4.

Representative Quinn calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Anderson, Barbee, Barker, Beall, Beam, Beard, Berry, Black, Bowen, Brannan, Brennan, Bumgardner, Chapin, Childress, Church, Clark, Colton, Cook, N. J. Crawford, Creecy, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fletcher, Foster, Gentry, Gillam, Greenwood, Hasty, Hayden, Helms, Hightower, Holmes, Hudson, Hunt, Hunter, James, Jeralds, Jones, Lambeth, Lancaster, Lee, Lilley, Lutz, McAlister, Matthews, Mauney, Mavretic, Murphy, Musselwhite, Nesbitt, Owens, Payne, Pool, Quinn, Rabon, Rhodes, Roberts, Seymour, Slaughter, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Watkins, Wicker, Womble, and Wright — 75.

Voting in the negative: Representatives Allran, Auman, Barnes, Blue, Brawley, Brown, Burnley, Coble, Cochrane, DeVane, Gist, Grimsley, Hackney, Holt, C. Hughes,

J. Hughes, Huskins, Jarrell, Jordan, Keesee, Kennedy, Lacey, Locks, McDowell, Miller, Nash, Poovey, Pulley, Redding, Robinson, Spaulding, B. Woodard, and C. Woodard — 33.

Excused absences: Representatives Brubaker, Fenner, Hauser, and Ligon — 4.

S. B. 307, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTE PROVIDING AN ANNUAL FEE FOR EMERGENCY PLANNING FOR EACH FIXED NUCLEAR FACILITY WITHIN THE STATE OF NORTH CAROLINA TO INCLUDE SUCH FEE FOR ANY FACILITY WITH A PLUME EXPOSURE PATHWAY EMERGENCY PLANNING ZONE WHICH EXTENDS INTO THIS STATE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Barker, Beam, Beard, Berry, Bowen, Brannan, Brawley, Brennan, Brown, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Grimsley, Hackney, Hasty, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Huskins, James, Jarrell, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Spaulding, Spoon, Tennille, Thomas, Tyndall, Varner, Warren, Wicker, Womble, B. Woodard, and Wright — 96.

Voting in the negative: Representative Beall.

Excused absences: Representatives Brubaker, Fenner, Hauser, and Ligon — 4.

House Committee Substitute for Senate Committee Substitute for S. B. 308, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NORTH CAROLINA ENERGY DEVELOPMENT AUTHORITY.

Representative Musselwhite offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Bowen, Brannan, Brennan, Brown, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Cochrane, Colton, Cook, J. W. Crawford, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hayden, Helms, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Poovey, Pulley, Quinn, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 99.

Voting in the negative: Representatives Brawley, Hightower, and Pool — 3.

Excused absences: Representatives Brubaker, Fenner, Hauser, and Ligon — 4.

Committee Substitute for H. B. 541, A BILL TO BE ENTITLED AN ACT TO

PROVIDE AN INCOME TAX CREDIT FOR THE PURCHASE OF CONSERVATION TILLAGE EQUIPMENT FOR AGRICULTURE AND FORESTRY.

On motion of Representative Hunt, consideration of the bill is postponed until June 28, 1983.

H. B. 1196, A BILL TO BE ENTITLED AN ACT TO PLACE THE PRESIDENT OF THE NORTH CAROLINA SOCIETY OF FIRE INSTRUCTORS AND THE PRESIDENT OF THE NORTH CAROLINA ASSOCIATION OF FIRE MARSHALLS ON THE STATE FIRE COMMISSION.

The bill, as amended, passes its third reading, by electronic vote (78-1), and is ordered engrossed and sent to the Senate.

House Committee Substitute foe Senate Committee Substitute No. 3 for S. B. 188, A BILL TO BE ENTITLED AN ACT TO REGULATE THE HEIGHT OF TALL BUILDINGS OR STRUCTURES ON MOUNTAIN RIDGES.

Representative Nesbitt offers Amendment No. 1 which is adopted by electronic vote (94-0).

Representative McAlister calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its second reading, by electronic vote (93-7), and there being no objection is read a third time.

Representative McAlister calls the previous question on the third reading of the bill and the call is sustained.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

Committee Substitute No. 2 for H. B. 436, A BILL TO BE ENTITLED AN ACT TO REVISE G. S. 1A-1, RULE 4(j1), RELATING TO SERVICE OF PROCESS BY NEWSPAPER PUBLICATION IN ORDER TO INCORPORATE COURT MANDATED REQUIREMENTS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its second reading, by electronic vote (76-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 654, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A PROCEDURE FOR REVOKING A CONSENT TO ADOPTION, passes its second reading, by electronic vote (81-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute No. 2 for H. B. 933, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALTERATION OF A MARRIAGE LICENSE WHEN A PARTY TO THE MARRIAGE LAWFULLY CHANGES HIS OR HER NAME.

On motion of Representative Blue, consideration of the bill is postponed until June 28, 1983.

H. B. 1287, A BILL TO BE ENTITLED AN ACT TO ALLOW CITIES AND COUNTIES TO REQUIRE PERSONS SPEAKING AT PUBLIC HEARING TO TESTIFY UNDER OATH OR AFFIRMATION.

On motion of Representative Hudson, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (80-2), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 1285, A BILL TO BE ENTITLED AN ACT TO PLACE IN THE ADMINISTRATIVE OFFICE OF THE COURTS THE AUTHORITY TO ADOPT REGULATIONS GOVERNING THE INDIGENT DEFENSE PROGRAM.

On motion of Representative Brennan, consideration of the bill is postponed until June 24, 1983.

S. B. 511, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE REVIEW BY THE MARINE FISHERIES COMMISSION OF PROCLAMATIONS ISSUED BY THE SECRETARY OF THE NORTH CAROLINA DEPARTMENT OF NATURAL RESOURCES AND COMMUNITY DEVELOPMENT, passes its second reading, by electronic vote (78-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 525, A BILL TO BE ENTITLED AN ACT TO ALLOW AREAS CLOSED FOR REASONS OF POLLUTION BY THE DIVISION OF MARINE FISHERIES TO BE REOPENED MORE QUICKLY, passes its second reading, by electronic vote (79-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 579, A BILL TO BE ENTITLED AN ACT TO REVISE THE LEASE PROVISIONS PERTAINING TO CULTIVATION OF OYSTERS AND CLAMS, passes its second reading, by electronic vote (76-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 23, 1983

Mr. Speaker:

Pursuant to your message that the House of Representatives fails to concur in the Senate committee substitute for House committee substitute No. 2 for H. B. 800, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 65 RELATING TO FUNERAL AND BURIAL TRUST FUNDS, and requests conferees, the President appoints Senators Edwards of Caldwell, Jenkins and Tison on the part of the Senate to confer with a like committee on the part of the House to the end that the differences between the two Bodies may be resolved.

Respectfully,
S/ SYLVIA M. FINK
Principal Clerk

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. B. 109, AN ACT TO PROVIDE FOR THE APPOINTMENT OF SPECIAL LIBRARY REGISTRATION DEPUTIES TO REGISTER VOTERS IN ALL PUBLIC LIBRARIES.

S. B. 181, AN ACT TO MAKE JUDGES AND JUSTICES OF THE GENERAL COURT OF JUSTICE INACTIVE MEMBERS OF THE STATE BAR.

S. B. 392, AN ACT TO CLARIFY THE AUTHORITY TO ISSUE CUSTODY ORDERS APPLICABLE TO JUVENILES WITHIN THE JUVENILE JURISDICTION OF THE DISTRICT COURT AND THE CRITERIA FOR CUSTODY ORDERS.

S. B. 566, AN ACT TO GRANT TO GASOHOL A FIVE CENT PARTIAL EXEMPTION FROM THE GASOLINE AND SPECIAL FUELS TAX.

H. B. 122, AN ACT TO AMEND G. S. 20-108 TO PROVIDE FOR SEIZURE AND DISPOSITION OF MOTOR VEHICLES OR COMPONENT PARTS WHICH DO NOT CARRY IDENTIFYING NUMBERS OR CARRY ALTERED, CHANGED OR OBLITERATED NUMBERS.

H. B. 137, AN ACT TO ALLOW PUBLIC AND NONPROFIT HUMAN SERVICES PROGRAMS TO PURCHASE PERMANENT LICENSE TAGS FOR AGENCY VEHICLES, AND TO INCREASE THE FEE FOR PERMANENT REGISTRATION PLATES ISSUED TO THE STATE AND CERTAIN NONPROFIT ORGANIZATIONS.

H. B. 147, AN ACT TO ALLOW ALL HOSPITALS OWNED AND OPERATED BY A COUNTY TO RECEIVE SEMIANNUAL SALES TAX REFUNDS.

H. B. 291, AN ACT TO PROVIDE THAT THE NEW HANOVER COUNTY BOARD OF COMMISSIONERS SHALL BE ELECTED FROM DISTRICTS, AND TO EXPAND THE BOARD TO SEVEN SEATS, SUBJECT TO A REFERENDUM.

H. B. 1044, AN ACT TO AUTHORIZE LOCAL ADMINISTRATIVE BOARDS OF COMMUNITY COLLEGES TO ESTABLISH COOPERATIVE PROGRAMS WITH HIGH SCHOOLS.

H. B. 292, AN ACT TO PROVIDE A REFERENDUM ON THE QUESTION OF CHANGING THE MANNER OF ELECTION OF THE WILMINGTON CITY COUNCIL.

H. B. 1093, AN ACT TO ENSURE THAT NEW AUTO BUYERS HAVE ADEQUATE REMEDIES AGAINST AUTO MANUFACTURERS.

H. B. 1108, AN ACT TO AMEND G. S. 97-28 TO PERMIT USE OF LEAVE DURING THE FIRST SEVEN DAYS OF DISABILITY UNDER THE WORKER'S COMPENSATION ACT.

H. B. 1132, AN ACT TO REMOVE CERTAIN PROPERTY FROM THE CORPORATE LIMITS OF THE TOWN OF TRYON AND TO REINCORPORATE THE TOWN OF LYNN.

H. B. 1228, AN ACT TO MAKE NOTICE PROVISIONS CONSISTENT IN ACTIONS FOR SUPPORT AND CUSTODY OF MINOR CHILDREN.

S. J. R. 584, A JOINT RESOLUTION CALLING UPON THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE TO APPOINT A LEGISLATIVE DELEGATION TO ATTEND CEREMONIES IN

GREAT BRITAIN CELEBRATING THE FOUR HUNDREDTH ANNIVERSARY OF THE ROANOKE VOYAGES.

On motion of Representative Hunt, seconded by Representative Beard, the House adjourns to reconvene June 24, 1983 at 9:00 a.m.

ONE HUNDRED EIGHTEENTH DAY

HOUSE OF REPRESENTATIVES
Friday, June 24, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Jordan.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of June 23 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Blue, Brubaker, DeVane, Hughes, Ligon, Locks, Murphy, Spoon, and Wright for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Pulley for the Committee on Judiciary No. 4:

S. B. 323, A BILL TO BE ENTITLED AN ACT REGARDING THE METHOD OF EXECUTION IN THIS STATE, with a favorable report, as amended.

S. B. 433, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GUARDIAN *AD LITEM* APPOINTED FOR A JUVENILE ALLEGED ABUSED OR NEGLECTED MAY PETITION FOR TERMINATION OF PARENTAL RIGHTS, with a favorable report, as amended.

By Representative Hunt for the Committee on Rules and Operation of the House:

H. J. R. 1184, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF MARION D. THORPE, with a favorable report.

By Representative Lancaster for the Committee on Judiciary No. 3:

Senate Committee Substitute for H. B. 124, A BILL TO BE ENTITLED AN ACT TO EXPAND THE USE OF OUTPATIENT INVOLUNTARY COMMITMENTS FOR THE MENTALLY ILL, with recommendation that the House do not concur; request conferees.

On motion of Representative Lancaster, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Lancaster, the House does not concur in the Senate committee substitute and conferees are requested.

The Speaker announces the appointment of Representatives Lancaster, Chairman; Black, and B. Woodard as conferees and the Senate is so notified by Special Message.

H. B. 1314, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITIES TO SELL PROPERTY IN COMMUNITY DEVELOPMENT PROGRAMS TO REDEVELOPERS AT PRIVATE SALE, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for June 28, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Bumgardner for the Committee on Transportation:

Committee Substitute for S. B. 209, A BILL TO BE ENTITLED AN ACT TO AMEND THE MOTOR VEHICLE LAWS IN CHAPTER 20 OF THE GENERAL STATUTES TO CONFORM TRUCK WEIGHTS ON STATE HIGHWAYS TO THE FEDERAL BRIDGE FORMULA AND TO UPDATE THE STATUTE BY MAKING OTHER CHANGES, with a favorable report, as amended.

By Representative Watkins for the Committee on Appropriations:

H. B. 265, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA HOUSING COMMISSION, with a favorable report, as amended, and placed on the Calendar for June 28, 1983.

Committee Substitute for H. B. 517, A BILL TO BE ENTITLED AN ACT TO REVISE THE STATUTES RELATING TO THE STATE AUDITOR, with a favorable report, as amended.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Gillam and James:

H. B. 1346, A BILL TO BE ENTITLED AN ACT CONCERNING CERTIFICATION OF CROP SEEDS, is referred to the Committee on Agriculture.

By Representatives Jones, Barker, Beall, Beam, Beard, Black, Blue, Brennan, Bumgardner, Chapin, Colton, Easterling, Economos, Edwards, Evans, Gillam, Helms, Hudson, Huskins, Jeralds, Jordan, Lutz, McAlister, Matthews, Mavretic, Murphy, Musselwhite, Nesbitt, Pulley, Rabon, Robinson, Slaughter, Tyndall, Tyson, Warren, Watkins, Wicker, C. Woodard, and Wright:

H. B. 1347, A BILL TO BE ENTITLED AN ACT TO CLARIFY REQUIREMENTS FOR BARBERS LICENSED IN OTHER STATES SEEKING LICENSURE IN NORTH CAROLINA, is referred to the Committee on Judiciary No. 2.

By Representative B. Woodard:

H. B. 1348, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 90-85.7 TO CHANGE THE TERMS OF OFFICE OF MEMBERS OF THE BOARD OF PHARMACY FROM THREE TO FIVE YEARS, is referred to the Committee on State Government.

By Representative B. Woodard:

H. B. 1349, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE BOARD OF SPEECH AND LANGUAGE PATHOLOGY AND AUDIOLOGY, is referred to the Committee on Health.

By Representatives Musselwhite, Blue, and Fussell:

H. B. 1350, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES FOR ARTS TOGETHER, INC., IN WAKE COUNTY, is referred to the Committee on Appropriations.

By Representatives Blue and Lancaster:

H. B. 1351, A BILL TO BE ENTITLED AN ACT VESTING TITLE IN BETTERMENTS, is referred to the Committee on Judiciary No. 3.

By Representatives Lancaster and Blue:

H. B. 1352, A BILL TO BE ENTITLED AN ACT TO PROVIDE A FAIR PROCEDURE IN PARTITION SALES, is referred to the Committee on Judiciary No. 3.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for House Committee Substitute for H. B. 53, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS CONCERNING THE ADVISORY BUDGET COMMISSION AND OTHER BOARDS TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE ON SEPARATION OF POWERS, is returned for concurrence in Senate committee substitute and is referred to the Committee on Judiciary No. 1.

Committee Substitute for H. B. 37, A BILL TO BE ENTITLED AN ACT TO RECODIFY CERTAIN CRIMINAL STATUTES REGARDING JAIL CONFINEMENTS, is returned for concurrence in Senate amendment and is placed on the Calendar for June 27, 1983.

H. B. 856, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF "RULE" FOR PURPOSES OF ADMINISTRATIVE PROCEDURE, is returned for concurrence in Senate amendment and is placed on the Calendar for June 27, 1983.

H. B. 773, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO LEASE THE RIGHT-OF-WAY OF INTERSTATE HIGHWAY 40 TO THE CITY OF WINSTON-SALEM FOR A PARKING FACILITY, is returned for concurrence in Senate amendment and is placed on the Calendar for June 27, 1983.

Committee Substitute for S. B. 462, A BILL TO BE ENTITLED AN ACT TO REQUIRE BANKS AND SAVINGS AND LOAN ASSOCIATIONS TO PRODUCE AN AFFIDAVIT WHEN ACTING AS PERSONAL REPRESENTATIVE, COLLECTOR OR GUARDIAN, is read the first time and is referred to the Committee on Judiciary No. 4.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for House Committee Substitute No. 2 for H. B. 38, A BILL TO BE ENTITLED AN ACT TO REWRITE AND REPEAL CERTAIN CRIMINAL STATUTES REGARDING CONTRACTS BETWEEN LANDLORDS AND TENANTS.

On motion of Representative Hackney, the House concurs in the Senate committee substitute, which changes the title, and the bill is ordered enrolled.

Committee Substitute for H. B. 737, A BILL TO BE ENTITLED AN ACT TO AMEND THE EMPLOYMENT SECURITY LAW TO ASSURE FEDERAL COMPLIANCE AND OTHER TECHNICAL AMENDMENTS.

On motion of Representative Enloe, the House concurs in the Senate amendment and the bill is ordered enrolled.

Committee Substitute for H. B. 657, A BILL TO BE ENTITLED AN ACT TO PROTECT THE INTEGRITY OF SWIFT CREEK TOWNSHIP, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 1277, A BILL TO BE ENTITLED AN ACT TO DENY AUTHORITY TO CASWELL BEACH TO ANNEX OR EXERCISE EXTRATERRITORIAL JURISDICTION OVER FORT CASWELL.

Representative Womble offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading.

Representative Cook objects to the third reading. The bill remains on the Calendar.

H. B. 724, A BILL TO BE ENTITLED AN ACT TO LIMIT MOTORBOAT NOISE ON VARIOUS LAKES.

On motion of Representative Black, consideration of the bill is postponed until June 27, 1983.

Committee Substitute for H. B. 426, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE VARIOUS TRANSIENT OCCUPANCY TAXES, TO AUTHORIZE COUNTIES TO LEVY ONE-HALF PERCENT SALES AND USE TAXES, TO ALLOW LOCALITIES TO SPEND SALES TAX REVENUE ON HOUSING, AND TO CHANGE THE METHOD OF FUNDING FOR MEMBERS OF THE LAW ENFORCEMENT OFFICERS' RETIREMENT SYSTEM WHO ARE LOCAL GOVERNMENT EMPLOYEES.

Representative Quinn calls the previous question on the passage of the bill, and the call is sustained by electronic vote (58-36).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Barbee, Beall, Beam, Beard, Berry, Black, Bowen, Brannan, Brennan, Bumgardner, Chapin, Childress, Church, Colton, Cook, Creecy, Diamont, Easterling, Economos, Edwards, Enloe, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gillam, Gist, Greenwood, Hasty, Helms, Holmes, Holt, Hudson, Hunt, Hunter, James, Jeralds, Jones, Lambeth, Lancaster, Lee, Lilley, Lutz, Matthews, Mavretic, Nesbitt, Owens, Payne, Pool, Quinn, Rabon, Rhodes, Roberts, Seymour, Slaughter, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, and C. Woodard — 67.

Voting in the negative: Representatives Allran, Auman, Barnes, Brawley, Brown, Burnley, Coble, Cochrane, Gentry, Grimsley, Hackney, Hauser, J. Hughes, Huskins, Jarrell, Jordan, Keesee, Kennedy, Lacey, McDowell, Mauney, Miller, Nash, Poovey, Pulley, Redding, Robinson, Spaulding, and B. Woodard — 29.

Excused absences: Representatives Blue, Brubaker, DeVane, C. Hughes, Ligon, Locks, Murphy, Spoon, and Wright — 9.

S. B. 307, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTE PROVIDING AN ANNUAL FEE FOR EMERGENCY PLANNING FOR EACH FIXED NUCLEAR FACILITY WITHIN THE STATE OF NORTH CAROLINA TO INCLUDE SUCH FEE FOR ANY FACILITY WITH A PLUME EXPOSURE PATHWAY EMERGENCY PLANNING ZONE WHICH EXTENDS INTO THIS STATE, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Allran, Auman, Barbee, Barnes, Beall, Beam, Beard, Berry, Black, Bowen, Brannan, Brawley, Brennan, Brown, Bumgardner, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, Creecy, Diamont, Easterling, Edwards, Bruce Ethridge, Evans, Fenner, Fletcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Helms, Holmes, Holt, Hudson, Hunt, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lee, Lilley, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, and B. Woodard — 90.

Voting in the negative: Representative J. Hughes.

Excused absences: Representatives Blue, Brubaker, DeVane, C. Hughes, Ligon, Locks, Murphy, Spoon, and Wright — 9.

House Committee Substitute for Senate Committee Substitute for S. B. 308, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A NORTH CAROLINA ENERGY DEVELOPMENT AUTHORITY.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Representatives Allran, Auman, Barnes, Beall, Beam, Beard, Berry, Black, Bowen, Brannan, Brennan, Brown, Bumgardner, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, Creecy, Diamont, Easterling, Economos, Edwards, Enloe, Evans, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Helms, Holmes, Holt, Hudson, J. Hughes, Hunt, Hunter, Huskins, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lee, Lilley, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Musselwhite, Nash, Nesbitt, Owens, Payne, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, B. Woodard, and C. Woodard — 91.

Voting in the negative: Representatives Brawley and Pool — 2.

Excused absences: Representatives Blue, Brubaker, DeVane, C. Hughes, Ligon, Locks, Murphy, Spoon, and Wright — 9.

H. B. 1201, A BILL TO BE ENTITLED AN ACT TO CHANGE THE ELIGIBILITY REQUIREMENTS FOR USE-VALUE CLASSIFICATION OF AGRICULTURAL LAND.

On motion of Representative Barnes, Committee Amendments Nos. 1 and 2 are adopted.

Representative Barnes offers Amendment No. 3 which is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Allran, Auman, Barbee, Barnes, Beall, Beam, Beard, Berry, Black, Bowen, Brannan, Brawley, Brennan, Brown, Burnley, Chapin, Childress, Church, Cochrane, Colton, Creecy, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Hudson, Hunt, Hunter, Huskins, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lilley, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Womble, B. Woodard, and C. Woodard — 90.

Voting in the negative: Representative James.

Excused absences: Representatives Blue, Brubaker, DeVane, Gillam, C. Hughes, Ligon, Locks, Murphy, Spoon, and Wright — 10.

Committee Substitute for H. B. 1076, A BILL TO BE ENTITLED AN ACT TO INCREASE MINIMUM REQUIREMENT FOR FINANCIAL RESPONSIBILITY PROOF OR SECURITY DEPOSIT REQUIREMENTS TO FIVE HUNDRED DOLLARS.

On motion of Representative Fussell, consideration of the bill is postponed until June 27, 1983.

H. B. 1285, A BILL TO BE ENTITLED AN ACT TO PLACE IN THE ADMINISTRATIVE OFFICE OF THE COURTS THE AUTHORITY TO ADOPT REGULATIONS GOVERNING THE INDIGENT DEFENSE PROGRAM.

Representative Lancaster offers Amendment No. 1 which is adopted.

On motion of Representative Pulley, consideration of the bill is postponed until June 29, 1983.

H. B. 575, A BILL TO BE ENTITLED AN ACT TO AMEND CERTAIN OBSCENITY STATUTES.

On motion of Representative Miller, Committee Amendments Nos. 1 and 2 are adopted.

The bill, as amended, passes its second reading, by electronic vote (97-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

MESSAGES FROM THE SENATE

The rules are suspended and the following is received from the Senate:

Committee Substitute for H. B. 658, A BILL TO BE ENTITLED AN ACT TO PROTECT RENTERS OF APARTMENT BUILDINGS BEING CONVERTED TO CONDOMINIUMS, is returned for concurrence in Senate amendment.

On motion of Representative Cook, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Cook, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 1266, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN TRAILER CONVERTERS FROM THE MOTOR VEHICLE REGISTRATION REQUIREMENTS.

Representative Musselwhite calls the previous question on the passage of the bill.

Representative Lancaster moves, seconded by Representative Pulley, that the bill do lie upon the table.

Representative Poovey moves that the House do adjourn and this motion fails for the lack of a second to the motion.

The motion by Representative Lancaster that the bill do lie upon the table fails by electronic vote (36-61).

The motion before the House is the call for the previous question. This call is sustained.

The bill passes its second reading by electronic vote (60-39).

Representative Pulley objects to the third reading. The bill remains on the Calendar.

H. B. 1316, A BILL TO BE ENTITLED AN ACT TO MAKE IT A MISDEMEANOR TO HARBOR OR AID PERSONS WHO VIOLATE CONDITIONS OF PROBATION OR PERSONS WHOSE PROBATION HAS BEEN REVOKED, passes its second reading, by electronic vote (87-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. J. R. 1308, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE LOCAL FINANCING OF COMMUNITY COLLEGES, passes its second reading, by electronic vote (87-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for S. B. 298, A BILL TO BE ENTITLED AN ACT TO ALLOW ISSUANCE OF FICTITIOUS DRIVERS' LICENSES AND REGISTRATION PLATES FOR ALCOHOL LAW ENFORCEMENT AGENTS AND DIVISION OF MOTOR VEHICLES LAW ENFORCEMENT PERSONNEL, passes its second reading, by electronic vote (85-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. J. R. 586, A JOINT RESOLUTION HONORING LEE BURRUS NICHOLS, A FORMER MEMBER OF THE GENERAL ASSEMBLY, passes its second reading, by electronic vote (93-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. J. R. 589, A JOINT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF DEFENSE TO COOPERATE WITH STATE AND LOCAL OFFICIALS TO PROVIDE COASTAL SURVEILLANCE TO AID IN DRUG LAW ENFORCEMENT.

Representative Barbee moves that the bill be re-referred to the Committee on Rules and Operation of the House.

Representative Barbee calls the previous question on the motion and the call is sustained.

The bill is re-referred to the Committee on Rules and Operation of the House.

Representative Watkins moves that S. B. 89, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 50 OF THE GENERAL STATUTES TO ESTABLISH PROCEDURES TO INSURE PAYMENT OF CHILD SUPPORT, be recalled from the Senate and this motion carries by electronic vote (85-0).

The Speaker orders a Special Message be sent to the Senate requesting the return of the bill for further consideration.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. B. 356, AN ACT TO REVISE THE LEASE FEES PERTAINING TO SHELLFISH LEASES.

S. B. 372, AN ACT TO ASSURE THAT IF THE WESTERN RESIDENCE OF THE GOVERNOR IN ASHEVILLE IS DAMAGED OR DESTROYED, IT WILL BE REPAIRED.

S. B. 427, AN ACT TO CREATE THE AUCTIONEER RECOVERY FUND.

S. B. 453, AN ACT TO AMEND THE AUTHORITY OF THE DEPARTMENT OF TRANSPORTATION TO SET FEES FOR SIGNS, SIGN PERMITS, AND JUNKYARD PERMITS.

H. B. 79, AN ACT TO MODIFY THE REGULATION OF HAZARDOUS WASTE AND PCB LANDFILLS.

H. B. 527, AN ACT MAKING HONORABLE DISCHARGE FROM THE MILITARY A MITIGATING FACTOR UNDER THE FAIR SENTENCING ACT.

H. B. 758, AN ACT TO PROVIDE FOR COURT REVIEW OF PLACEMENT FOLLOWING CERTAIN TERMINATIONS OF PARENTAL RIGHTS.

H. B. 890, AN ACT TO ALLOW ALL SANITARY DISTRICTS TO EXERCISE ALL POWERS PERMITTED BY THE SANITARY DISTRICT LAW.

H. B. 951, AN ACT TO AMEND AND REORGANIZE CHAPTER 159B OF THE GENERAL STATUTES AND TO CREATE A NEW ARTICLE TO PROVIDE FOR JOINT MUNICIPAL ASSISTANCE AGENCIES AND TO MAKE TECHNICAL AMENDMENTS TO G.S. 128-1 AND ARTICLE 3 OF CHAPTER 159 OF THE GENERAL STATUTES.

H. B. 970, AN ACT REGARDING SUSPENSION OF A DRIVER'S LICENSE FOR FAILURE TO MAINTAIN THE REQUIRED SECURITY OR INSURANCE.

H. B. 995, AN ACT TO GRANT CERTAIN DOMICILIARY CARE FACILITIES AN EXEMPTION FROM REPORTING AND UNIFORM CHART OF ACCOUNTS REQUIREMENTS.

H. B. 1075, AN ACT TO PROVIDE MORE RULEMAKING FLEXIBILITY FOR THE CHILD DAY-CARE LICENSING COMMISSION AND TO REGULATE TEMPORARY CHILD DAY-CARE FACILITIES.

H. B. 1144, AN ACT TO ABOLISH ALL GROUNDS FOR ABSOLUTE DIVORCE EXCEPT SEPARATION.

H. B. 1147, AN ACT TO INCREASE THE VALUE OF WORK THAT MAY BE DONE WITHOUT A BUILDING PERMIT FOR SMALL JOBS.

H. B. 1198, AN ACT TO REGULATE THE TAKING OF EXOTIC SPECIES OF WILD ANIMALS AND BIRDS OR SPECIES NOT INDIGENOUS TO THE AREA.

H. B. 1231, AN ACT TO AMEND G. S. 136-44.20 TO PROVIDE FOR MATCHING FUNDS FOR INTER-CITY RAIL AND BUS PASSENGER SERVICE.

H. B. 1254, AN ACT TO CHANGE THE DATE ON WHICH MEMBERS OF COUNTY BOARDS OF ELECTIONS, REGISTRARS AND JUDGES OF ELECTIONS ARE APPOINTED.

S. B. 550, AN ACT TO INCLUDE A WOMAN LAW ENFORCEMENT OFFICER ON THE CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION.

S. B. 511, AN ACT TO AUTHORIZE REVIEW BY THE MARINE FISHERIES COMMISSION OF PROCLAMATIONS ISSUED BY THE SECRETARY OF THE NORTH CAROLINA DEPARTMENT OF NATURAL RESOURCES AND COMMUNITY DEVELOPMENT.

S. B. 525, AN ACT TO ALLOW AREAS CLOSED FOR REASONS OF POLLUTION BY THE DIVISION OF MARINE FISHERIES TO BE REOPENED MORE QUICKLY.

S. B. 579, AN ACT TO REVISE THE LEASE PROVISIONS PERTAINING TO CULTIVATION OF OYSTERS AND CLAMS.

On motion of Representative Hunt, seconded by Representative Warren, the House adjourns to reconvene Monday, June 27, 1983 at 7:00 p.m.

ONE HUNDRED NINETEENTH DAY

HOUSE OF REPRESENTATIVES
Monday, June 27, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Foster.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of June 24 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Brawley, Cook, Gist, Helms, and Spoon for tonight.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Church for the Committee on State Government:

H. B. 1190, A BILL TO BE ENTITLED AN ACT TO CREATE A BOARD OF STATE CONTRACT APPEALS, with an unfavorable report as to bill, favorable as to committee substitute bill, and recommendation that the substitute bill be re-referred to the Committee on Appropriations.

The substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Wright for the Committee on Judiciary No. 2:

Committee Substitute No. 1 for H. B. 950, A BILL TO BE ENTITLED AN ACT TO PROHIBIT UNAUTHORIZED POSSESSION OF WEAPONS AND CERTAIN SUBSTANCES ON THE GROUNDS OF ANY MENTAL OR PENAL INSTITUTION, OR LOCAL CONFINEMENT FACILITY, with an unfavorable report as to Committee Substitute Bill No. 1, favorable as to Committee Substitute Bill No. 2.

Committee Substitute Bill No. 2 is placed on the Calendar for June 29, 1983. Committee Substitute No. 1 is placed on the Unfavorable Calendar.

By Representative Miller for the Committee on Judiciary No. 1:

H. B. 489, A BILL TO BE ENTITLED AN ACT TO DEFINE THE CONDITIONS UNDER WHICH CERTAIN BINGO GAMES AND RAFFLES ARE LAWFUL, with an unfavorable report as to bill, favorable as to committee substitute bill, and recommendation that the substitute bill be re-referred to the Committee on Finance.

The substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Hunt for the Committee on Rules and Operation of the House:

H. J. R. 1289, A JOINT RESOLUTION HONORING THE LIFE AND WORK OF MARION ALLEN WRIGHT, with a favorable report.

H. J. R. 1309, A JOINT RESOLUTION TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE DISPOSITION OF ANIMALS BY ANIMAL SHELTERS AND POUNDS, with a favorable report, as amended.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Rabon:

H. B. 1353, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 115C-72 RELATING TO THE CONSOLIDATION OF DISTRICTS AND DISCONTINUANCE OF SCHOOLS, is referred to the Committee on Education.

By Representative Wright:

H. B. 1354, A BILL TO BE ENTITLED AN ACT TO AMEND THE SUBPOENA LAW RELATING TO THE PRODUCTION OF DOCUMENTARY EVIDENCE, is referred to the Committee on Judiciary No. 2.

By Representative Bruce Ethridge:

H. B. 1355, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REGISTRATION OF A MEMORANDUM OF A SALES CONTRACT CONCERNING LAND, is referred to the Committee on Judiciary No. 4.

By Representatives Beall and Economos:

H. B. 1356, A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIME OF ABUSING OR EXPLOITING A DISABLED ADULT, is referred to the Committee on Aging.

By Representatives Diamont, Gentry, and Hayden:

H. B. 1357, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE REEVES COMMUNITY CENTER OF MOUNT AIRY, INC., is referred to the Committee on Appropriations.

By Representatives Diamont, Gentry, and Hayden:

H. B. 1358, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE ROCKFORD PRESERVATION SOCIETY, INC., TO CONDUCT HISTORIC PRESERVATION FIELD SCHOOL IN SURRY COUNTY, is referred to the Committee on Appropriations.

By Representatives Bowen, DeVane, Pool, and C. Woodard:

H. B. 1359, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO BLADEN COUNTY TO CONSTRUCT FIRE STATIONS IN LISBON AND WHITE OAK, is referred to the Committee on Appropriations.

By Representatives Ballance, Allran, Barnes, Berry, Black, Burnley, Coble, Cochrane, Colton, Cook, Creecy, Edwards, Bruce Ethridge, Gist, Grimsley, Hasty, Hauser, Holmes, C. Hughes, Keesee, Kennedy, Locks, Owens, Payne, Rhodes, Roberts, Spaulding, and Spoon:

H. J. R. 1360, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JOHN COLTRANE, is referred to the Committee on Rules and Operation of the House.

By Representative Musselwhite:

H. B. 1361, A BILL TO BE ENTITLED AN ACT TO PROVIDE REIMBURSEMENT TO EMPLOYERS FOR CONTRIBUTION PAYMENTS IN LIEU OF COMPENSATION, is referred to the Committee on Manufacturers and Labor.

By Representative Seymour:

H. B. 1362, A BILL TO BE ENTITLED AN ACT TO CREATE A LIEN ON AN AIRCRAFT FOR THE AMOUNT OF EARNED BUT UNPAID INSURANCE PREMIUMS ON THE AIRCRAFT, is referred to the Committee on Judiciary No. 1.

By Representatives Colton, Burnley, DeVane, Diamont, Huskins, Lambeth, Mauney, Rabon, and Rhodes:

H. B. 1363, A BILL TO BE ENTITLED AN ACT TO ABOLISH CERTAIN COMMITTEES AND COMMISSIONS UNDER THE DEPARTMENT OF CULTURAL RESOURCES, is referred to the Committee on Cultural Resources.

By Representative Murphy:

H. B. 1364, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ADDITIONAL EXEMPTION FROM THE REQUIREMENT OF EXAMINATION BEFORE BEING LICENSED AS A VETERINARIAN, is referred to the Committee on State Government.

By Representative Miller:

H. B. 1365, A BILL TO BE ENTITLED AN ACT TO AMEND THE POWERS AND DUTIES OF THE UTILITIES COMMISSION, is referred to the Committee on Public Utilities.

SUSPENSION OF RULES TO INTRODUCE LOCAL BILL

On motion of Representative Huskins, Rule 31.1 is suspended by a two-thirds majority vote in order for a local bill to be filed.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for H. B. 115, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE LICENSING OF RESIDENTIAL GROUP CARE FACILITIES FOR CHILDREN, is returned for concurrence in Senate amendment and is placed on the Calendar for June 28, 1983.

S. B. 14, A BILL TO BE ENTITLED AN ACT TO ELIMINATE MANDATORY RETIREMENT AT AGE 70 FOR PERSONS COVERED UNDER THE STATE EMPLOYEES OR LOCAL GOVERNMENT EMPLOYEES RETIREMENT SYSTEM, is read the first time and is referred to the Committee on Pensions and Retirement.

S. B. 217, A BILL TO BE ENTITLED AN ACT TO PERMIT MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM TO PURCHASE CREDITABLE SERVICE FOR TEMPORARY STATE EMPLOYMENT BY PAYING AN AMOUNT EQUAL TO THE FULL ACTUARIAL LIABILITY, is read the first time and is referred to the Committee on Pensions and Retirement.

S. B. 478, A BILL TO BE ENTITLED AN ACT TO REFUND THE AMOUNT OF ACCUMULATED CONTRIBUTIONS IN EXCESS OF THE CONTRIBUTIONS REQUIRED OF OTHER MEMBERS OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM MADE BY FIREMEN NOT COVERED UNDER THE SOCIAL SECURITY ACT WHO WERE MEMBERS OF THE LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, is read the first time and is referred to the Committee on Pensions and Retirement.

S. J. R. 585, A JOINT RESOLUTION RECOGNIZING AND CLARIFYING THE POLICY OF THIS STATE TO AFFORD THE OPPORTUNITY FOR MENTALLY AND DEVELOPMENTALLY DISABLED PERSONS FOR ADEQUATE COMMUNITY SUPPORT SERVICES, is read the first time and is referred to the Committee on Rules and Operation of the House.

S. B. 602, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 147 OF THE GENERAL STATUTES TO ALLOW FOR THE PAYROLL DEDUCTION BY A DEPARTMENT OF TRANSPORTATION EMPLOYEE REQUIRED BY FEDERAL AND STATE LAW TO WEAR DAY-GLO ORANGE SHIRTS OR VESTS OF THE COST OF UNIFORM RENTAL AND INSURANCE PREMIUMS, is read the first time and is referred to the Committee on Transportation.

S. B. 607, A BILL TO BE ENTITLED AN ACT TO ENSURE EQUAL TREATMENT OF UNEMPLOYED INDIVIDUALS WHO ARE MEMBERS OF NATIONAL GUARD UNITS AND UNEMPLOYED INDIVIDUALS WHO ARE MEMBERS OF UNITED STATES ARMED FORCES RESERVE COMPONENTS, is read the first time and is referred to the Committee on Employment Security.

S. B. 621, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 85B, RELATING TO AUCTIONS AND AUCTIONEERS, is read the first time and is referred to the Committee on State Government.

S. B. 628, A BILL TO BE ENTITLED AN ACT TO GIVE THE STATE BOARD OF ELECTIONS A LONGER PERIOD OF TIME TO DETERMINE NOMINEES FOR THE PRESIDENTIAL PRIMARY, is read the first time and is referred to the Committee on Election Laws.

Committee Substitute for S. B. 424, A BILL TO BE ENTITLED AN ACT RELATING TO THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW, is read the first time and is referred to the Committee on Small Business.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 24, 1983

Mr. Speaker:

Pursuant to your message that the House of Representatives fails to concur in the Senate Committee Substitute for House Committee Substitute for H. B. 124, A BILL TO BE ENTITLED AN ACT TO EXPAND THE USE OF OUTPATIENT INVOLUNTARY COMMITMENTS FOR THE MENTALLY ILL, and requests conferees, the President appoints Senators O. Harris, Jenkins, and Daniels on the part of the Senate to confer with a like committee on the part of the House to the end that the differences between the two Bodies may be resolved.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 24, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the Senate adopts the report of the conferees on Committee Substitute for H. B. 503, A BILL TO BE ENTITLED AN ACT SETTING THE DATE FOR VALUATION OF PROPERTY DIVIDED UNDER EQUITABLE DISTRIBUTION, to the end that when a similar action has been taken on the part of the House, you may order the bill enrolled.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

H. J. R. 1135, A JOINT RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, is returned for concurrence in Senate amendment.

On motion of Representative Auman, the rules are suspended and the resolution is placed on the Calendar for immediate consideration.

On motion of Representative Auman, the House concurs in the Senate amendment and the resolution is ordered enrolled.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 24, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body that your request for the return of the House Committee Substitute for Senate Committee Substitute for S. B. 89, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 50 OF THE GENERAL STATUTES TO ESTABLISH PROCEDURES TO INSURE PAYMENT OF CHILD SUPPORT, is acknowledged and we herewith comply.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

On motion of Representative Watkins, the rules are suspended and House Committee Substitute for Senate Committee Substitute for S. B. 89 is placed on the Calendar for immediate consideration.

Representative Watkins moves that the vote by which the bill passed its third reading be reconsidered and this motion carries by electronic vote (84-0).

On motion of Representative Watkins, the bill is placed on the Calendar for June 28, 1983.

CALENDAR

Action is taken on the following:

Committee Substitute for H. B. 37, A BILL TO BE ENTITLED AN ACT TO RECODIFY CERTAIN CRIMINAL STATUTES REGARDING JAIL CONFINEMENTS.

On motion of Representative Hackney, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 773, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO LEASE THE RIGHT-OF-WAY OF INTERSTATE HIGHWAY 40 TO THE CITY OF WINSTON-SALEM FOR A PARKING FACILITY.

On motion of Representative Hauser, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 856, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF "RULE" FOR PURPOSES OF ADMINISTRATIVE PROCEDURE.

On motion of the Chair, consideration of the bill is postponed until June 28, 1983.

Committee Substitute for H. B. 1277, A BILL TO BE ENTITLED AN ACT TO DENY AUTHORITY TO CASWELL BEACH TO ANNEX OR EXERCISE EXTRATERRITORIAL JURISDICTION OVER FORT CASWELL.

The bill, as amended, passes its third reading, by electronic vote (87-0), and is ordered engrossed and sent to the Senate.

H. B. 724, A BILL TO BE ENTITLED AN ACT TO LIMIT MOTORBOAT NOISE ON VARIOUS LAKES.

On motion of Representative Black, consideration of the bill is postponed until June 28, 1983.

H. B. 1201, A BILL TO BE ENTITLED AN ACT TO CHANGE THE ELIGIBILITY REQUIREMENTS FOR USE-VALUE CLASSIFICATION OF AGRICULTURAL LAND.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Barbee, Barker, Barnes, Beall, Beard, Blue, Bowen, Brannan, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Economos, Edwards, Enloe, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, Jarrell, Jeralds, Jones, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 97.

Voting in the negative: None.

Excused absences: Representatives Brawley, Cook, Gist, Helms, Rabon, and Spoon — 6.

Committee Substitute for S. B. 209, A BILL TO BE ENTITLED AN ACT TO AMEND THE MOTOR VEHICLE LAWS IN CHAPTER 20 OF THE GENERAL STATUTES TO CONFORM TRUCK WEIGHTS ON STATE HIGHWAYS TO THE FEDERAL BRIDGE FORMULA AND TO UPDATE THE STATUTE BY MAKING OTHER CHANGES.

On motion of Representative Bumgardner, Committee Amendments Nos. 1, 2, and 3 are adopted.

The bill, as amended, passes its second reading, by the following vote and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Barker, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Economos, Enloe, Bruce Ethridge, Fenner, Fletcher, Foster, Gentry, Gillam, Greenwood, Grimsley, Hasty, Hauser, Hayden, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, Jarrell, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Murphy, Musselwhite, Nash, Nesbitt, Owens, Pool, Poovey, Pulley, Quinn, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 93.

Voting in the negative: None.

Excused absences: Representatives Brawley, Cook, Gist, Helms, Rabon, and Spoon — 6.

H. B. 1266, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN TRAILER CONVERTERS FROM THE MOTOR VEHICLE REGISTRATION REQUIREMENTS.

On motion of Representative Musselwhite, the bill is re-referred to the Committee on Finance.

S. B. 429, A BILL TO BE ENTITLED AN ACT TO PROVIDE PAYMENT FOR ATTORNEYS OR GUARDIANS AD LITEM FOR CERTAIN PERSONS.

On motion of Representative Pulley, the bill is re-referred to the Committee on Judiciary No. 4.

Committee Substitute for H. B. 179, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 50 OF THE GENERAL STATUTES TO ESTABLISH PROCEDURES TO INSURE PAYMENT OF CHILD SUPPORT.

On motion of Representative Hackney, consideration of the bill is postponed until July 1, 1983.

H. J. R. 1210, A JOINT RESOLUTION CALLING UPON THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE TO APPOINT A LEGISLATIVE DELEGATION TO ATTEND CEREMONIES IN GREAT BRITAIN CELEBRATING THE FOUR HUNDREDTH ANNIVERSARY OF THE ROANOKE VOYAGES.

On motion of Representative Evans, consideration of the resolution is postponed indefinitely by electronic vote (84-4).

Committee Substitute for H. B. 1076, A BILL TO BE ENTITLED AN ACT TO INCREASE MINIMUM REQUIREMENT FOR FINANCIAL RESPONSIBILITY PROOF OR SECURITY DEPOSIT REQUIREMENTS TO FIVE HUNDRED DOLLARS, passes its second reading, by electronic vote (92-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 1006, A BILL TO BE ENTITLED AN ACT TO REQUIRE DESIGNATED AGENTS TO BE BONDED OR PROVIDE OTHER FORMS OF INDEMNIFICATION FOR AGGRIEVED PERSONS.

Representative Miller offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Committee Substitute for H. B. 1173, A BILL TO BE ENTITLED AN ACT TO MODIFY THE BURDEN OF PROOF AND PUNISHMENT FOR ALLOWING PRISONERS TO ESCAPE, passes its second reading, by electronic vote (102-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 282, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR INCREASED PENALTIES FOR THE DRIVER OF ANY MOTOR VEHICLE FAILING TO YIELD TO A PEDESTRIAN IN A SCHOOL CROSSWALK, passes its second reading, by electronic vote (101-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 1283, A BILL TO BE ENTITLED AN ACT TO LIMIT CITIES IN THEIR REQUIREMENTS FOR DEDICATION OF WATER SYSTEMS AS PART OF SUBDIVISION REGULATIONS APPLICABLE TO AREAS OUTSIDE OF THE CITY LIMITS, passes its second reading, by electronic vote (96-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. J. R. 1184, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF MARION D. THORPE, passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for H. B. 517, A BILL TO BE ENTITLED AN ACT TO REVISE THE STATUTES RELATING TO THE STATE AUDITOR.

On motion of Representative Wright, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (101-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Representative Hackney sends forth the following Conference Report and moves its adoption.

CONFERENCE REPORT

June 27, 1983

TO: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate

and the House of Representatives on Senate Committee Substitute No. 2 for H. B. 413, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE EQUITABLE DISTRIBUTION ACT, wish to report as follows:

The Senate and the House agree and concur on S.C.S. #2, except that Section 3 thereof is rewritten as follows:
"Sec. 3. This act shall become effective on August 1, 1983 and includes those actions pending in the District Court Division on the effective date thereof.

To this end, the conferees recommend that the Senate and the House of Representatives adopt the foregoing report.

This the 27th day of June, 1983.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ Cecil R. Jenkins, Jr.	S/ Joe Hackney
S/ Robert S. Swain	S/ Robert L. Slaughter
S/ Conrad Duncan	S/ Martin Nesbitt
S/ Helen R. Marvin	S/ M. P. Pool
S/ Henson P. Barnes	S/ George W. Miller, Jr.

The Conference Report is adopted, by electronic vote (98-1), and the Senate is so notified by Special Message.

House Committee Substitute for S. B. 599, A BILL TO BE ENTITLED AN ACT TO ALLOW COMMUNITY WATER SYSTEMS THE SAME EXEMPTION FROM BOILER REGULATIONS AS NOW AVAILABLE TO PRIVATE RESIDENCES AND SMALL APARTMENT HOUSES FOR THEIR HYDROPNEUMATIC PRESSURE TANKS, passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Committee Substitute for S. B. 323, A BILL TO BE ENTITLED AN ACT REGARDING THE METHOD OF EXECUTION IN THIS STATE.

On motion of Representative Slaughter, consideration of the bill is postponed until June 28, 1983 by electronic vote (87-11).

S. B. 433, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GUARDIAN AD LITEM APPOINTED FOR A JUVENILE ALLEGED ABUSED OR NEGLECTED MAY PETITION FOR TERMINATION OF PARENTAL RIGHTS.

On motion of Representative Pulley, Committee Amendment No. 1 is adopted.

On motion of Representative Pulley, the bill and amendment are re-referred to the Committee on Appropriations.

Representative Lancaster sends forth the following Conference Report and moves its adoption.

CONFERENCE REPORT

June 27, 1983

TO: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on Senate Committee Substitute for House Committee Substitute for H. B. 124, A BILL TO BE ENTITLED AN ACT TO EXPAND THE USE OF OUTPATIENT INVOLUNTARY COMMITMENTS FOR THE MENTALLY ILL, wish to report as follows: the House concurs in the Senate Committee Substitute with the following amendment:
on page 2, lines 19 and 20, by deleting in each line "(e)", and inserting in lieu thereof "(d1)".

And the Senate concurs in the same.

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 27th day of June, 1983.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ OLLIE HARRIS	S/ H. MARTIN LANCASTER
S/ M. R. DANIELS, JR.	S/ JAMES B. BLACK
S/ CECIL R. JENKINS, JR.	S/ B. P. WOODARD

The Conference Report is adopted, by electronic vote (93-0), and the Senate is so notified by Special Message.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. B. 307, AN ACT TO AMEND THE STATUTE PROVIDING AN ANNUAL FEE FOR EMERGENCY PLANNING FOR EACH FIXED NUCLEAR FACILITY WITHIN THE STATE OF NORTH CAROLINA TO INCLUDE SUCH FEE FOR ANY FACILITY WITH A PLUME EXPOSURE PATHWAY EMERGENCY PLANNING ZONE WHICH EXTENDS INTO THIS STATE.

H. B. 38, AN ACT TO REWRITE AND REPEAL CERTAIN CRIMINAL STATUTES REGARDING CONTRACTS BETWEEN LANDLORDS AND TENANTS.

H. B. 658, AN ACT TO PROTECT RENTERS OF APARTMENT BUILDINGS BEING CONVERTED TO CONDOMINIUMS.

H. B. 737, AN ACT TO AMEND THE EMPLOYMENT SECURITY LAW TO ASSURE FEDERAL COMPLIANCE AND OTHER TECHNICAL AMENDMENTS.

H. B. 434, AN ACT TO PROVIDE A STATUTORY SHORT FORM POWER OF ATTORNEY AND A DURABLE POWER OF ATTORNEY STATUTE AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

H. B. 1114, AN ACT TO AMEND ARTICLE 12, G. S. 115C-189 TO ALLOW THE STATE BOARD OF EDUCATION TO SELECT THE TYPE OF ANNUAL TEST TO BE USED IN THE FIRST, SECOND, THIRD, SIXTH AND NINTH GRADES.

H. B. 1197, AN ACT TO AMEND THE WORKERS' COMPENSATION SECURITY FUND ACT.

S. B. 298, AN ACT TO ALLOW ISSUANCE OF FICTITIOUS DRIVERS' LICENSES AND REGISTRATION PLATES FOR ALCOHOL LAW ENFORCEMENT AGENTS AND DIVISION OF MOTOR VEHICLES LAW ENFORCEMENT PERSONNEL.

S. B. 547, AN ACT TO CLARIFY THE RESPONSIBILITY OF THE STATE BOARD OF EDUCATION FOR THE STATE'S SCHOOL TRANSPORTATION SYSTEM.

S. J. R. 586, A JOINT RESOLUTION HONORING LEE BURRUS NICHOLS, A FORMER MEMBER OF THE GENERAL ASSEMBLY.

H. J. R. 1135, A JOINT RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA.

On motion of Representative Hunt, seconded by Representative Musselwhite, the House adjourns to reconvene June 28, 1983 at 1:30 p.m.

ONE HUNDRED TWENTIETH DAY

HOUSE OF REPRESENTATIVES
Tuesday, June 28, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Beard.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of June 27 has been examined and found correct. Upon his motion, the Journal is approved as written.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Millller for the Committee on Judiciary No. 1:

Senate Committee Substitute for House Committee Substitute for H. B. 53, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS CONCERNING THE ADVISORY BUDGET COMMISSION AND OTHER BOARDS TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE ON SEPARATION OF POWERS, with recommendation that the House do not concur; request conferees.

On motion of Representative Miller, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Miller, the House does not concur in the Senate committee substitute and conferees are requested.

The Speaker announces the appointment of Representatives Miller, Watkins, Adams, Helms, and Wright as conferees and the Senate is so notified by Special Message.

H. B. 132, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A STATE EMPLOYEES' WORKERS' COMPENSATION FUND AND TO SET THE PROCEDURES FOR HANDLING WORKERS' COMPENSATION CLAIMS OF STATE EMPLOYEES, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title, and recommendation that the substitute bill be re-referred to the Committee on Appropriations.

The substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Foster for the Committee on Education:

S. B. 603, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SINGLE LEGAL AGE FOR INITIAL ENTRY INTO THE PUBLIC SCHOOL SYSTEM IN NORTH CAROLINA, with a favorable report.

By Representative Quinn for the Committee on Finance:

Committee Substitute for H. B. 130, A BILL TO BE ENTITLED AN ACT AUTHORIZING A REFUND OF THE EXCISE TAX LEVIED ON SACRAMENTAL WINE, with a favorable report.

Committee Substitute for H. B. 489, A BILL TO BE ENTITLED AN ACT TO DEFINE THE CONDITIONS UNDER WHICH CERTAIN BINGO GAMES AND RAFFLES ARE LAWFUL, with a favorable report.

Committee Substitute for H. B. 645, A BILL TO BE ENTITLED AN ACT TO RECODIFY THE PUBLIC HOSPITAL LAWS IN CHAPTERS 131 AND 131B AND IN PORTIONS OF CHAPTER 130 OF THE GENERAL STATUTES, with a favorable report, as amended.

On motion of Representative Hightower, Committee Amendment No. 1 is adopted.

On motion of Representative Pulley, the bill is ordered engrossed and re-referred to the Committee on Judiciary No. 4.

H. B. 1207, A BILL TO BE ENTITLED AN ACT TO EXEMPT COIN-OPERATED LAUNDRIES FROM SALES TAX, with a favorable report, as amended.

By Representative Thomas for the Committee on Higher Education:

H. B. 338, A BILL TO BE ENTITLED AN ACT TO PROVIDE TUITION AND FEES WAIVER FOR DEPENDENT CHILDREN OF EMPLOYEES OF THE UNIVERSITY OF NORTH CAROLINA ACCIDENTALLY KILLED ON THE JOB, with an indefinite postponement report.

By Representative Wright for the Committee on Judiciary No. 2:

H. B. 184, A BILL TO BE ENTITLED AN ACT TO CREATE AN INJURED ARMED ROBBERY VICTIM ASSISTANCE PROGRAM, with an indefinite postponement report.

H. B. 1331, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS TECHNICAL AMENDMENTS TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for June 30, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 1354, A BILL TO BE ENTITLED AN ACT TO AMEND THE SUBPOENA LAW RELATING TO THE PRODUCTION OF DOCUMENTARY EVIDENCE, with a favorable report.

By Representative Colton for the Committee on Cultural Resources:

H. B. 1363, A BILL TO BE ENTITLED AN ACT TO ABOLISH CERTAIN COMMITTEES AND COMMISSIONS UNDER THE DEPARTMENT OF CULTURAL RESOURCES, with a favorable report.

By Representative Church for the Committee on State Government:

Senate Committee Substitute for House Committee Substitute for H. B. 255, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 74C, THE PRIVATE PROTECTIVE SERVICES ACT, with recommendation that the House do not concur; request conferees.

On motion of Representative Church, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Church, the House does not concur in the Senate committee substitute and conferees are requested.

The Speaker announces the appointment of Representatives Bumgardner, Huskins and N. J. Crawford as conferees and the Senate is so notified by Special Message.

S. B. 553, A BILL TO BE ENTITLED AN ACT SETTING STANDARDS FOR QUALIFICATION, TRAINING AND EXPERIENCE FOR PERSONS SEEKING TO REPRESENT THEMSELVES TO THE PUBLIC AS REGISTERED PRACTICING COUNSELORS: CREATING A STATE BOARD OF EXAMINERS FOR PRACTICING COUNSELORS: DEFINING THE FUNCTIONS AND DUTIES OF THAT BOARD: AND PROVIDING FOR PENALTIES, with an unfavorable report as to bill, favorable as to House committee substitute bill and recommendation that the substitute bill be re-referred to the Committee on Finance.

The House committee substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H. B. 1318, A BILL TO BE ENTITLED AN ACT TO AMEND THE MEMBERSHIP COMPOSITION OF THE GOVERNOR'S WASTE MANAGEMENT BOARD, with a favorable report.

H. B. 1344, A BILL TO BE ENTITLED AN ACT TO AMEND QUALIFICATIONS FOR LICENSURE FOR NURSING HOME ADMINISTRATORS, with a favorable report, as amended.

H. B. 1348, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 90-85.7 TO CHANGE THE TERMS OF OFFICE OF MEMBERS OF THE BOARD OF PHARMACY FROM THREE TO FIVE YEARS, with an unfavorable report.

By Representative James for the Committee on Agriculture:

H. B. 1346, A BILL TO BE ENTITLED AN ACT CONCERNING CERTIFICATION OF CROP SEEDS, with a favorable report.

By Representative Pulley for the Committee on Judiciary No. 4:

Committee Substitute for S. B. 238, A BILL TO BE ENTITLED AN ACT TO CREATE THE PRIVATE PROTECTIVE SERVICES RECOVERY FUND, with a favorable report.

By Representative Lancaster for the Committee on Judiciary No. 3:

H. B. 127, A BILL TO BE ENTITLED AN ACT TO PROHIBIT PLEA BARGAINING IN D.U.I. CASES, with an indefinite postponement report.

H. B. 385, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PROCUREMENT OF THE PROPER LICENSE AS AN APPROPRIATE CONDITION OF PROBATION OF DEFENDANTS CONVICTED OF HUNTING, TRAPPING OR FISHING WITHOUT A PROPER LICENSE, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for June 30, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 402, A BILL TO BE ENTITLED AN ACT TO AMEND THE DEFINITION OF "DANGEROUS TO OTHERS" IN THE INVOLUNTARY COMMITMENT LAWS TO PROVIDE A MORE ACCURATE ASSESSMENT OF DANGEROUSNESS, with an indefinite postponement report.

H. B. 526, A BILL TO BE ENTITLED AN ACT AUTHORIZING A COURT TO ORDER RESTITUTION OF REWARD MONEY, with an indefinite postponement report.

H. B. 1332, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A PERSON ORDERED TO ATTEND D.W.I. SCHOOL SHALL ATTEND THE SCHOOL NEAREST HIS HOME UNLESS EXTENUATING CIRCUMSTANCES EXIST, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for June 30, 1983. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Wright:

H. B. 1366, A BILL TO BE ENTITLED AN ACT TO AMEND THE RULE REGARDING DEPOSITIONS UPON ORAL EXAMINATION, is referred to the Committee on Judiciary No. 2.

By Representative Hunter:

H. B. 1367, A BILL TO BE ENTITLED AN ACT TO CORRECT A TECHNICAL CONFLICT BETWEEN CHAPTER 567 AND CHAPTER 561 OF THE SESSION LAWS OF 1983, is referred to the Committee on Judiciary No. 4.

By Representatives Enloe and McAlister:

H. B. 1368, A BILL TO BE ENTITLED AN ACT TO ALLOW FIVE ACRE HORTICULTURAL TRACTS TO QUALIFY FOR USE VALUATION, is referred to the Committee on Finance.

By Representative Huskins:

H. B. 1369, A BILL TO BE ENTITLED AN ACT TO ENLARGE THE MOORESVILLE CITY SCHOOL DISTRICT.

On motion of Representative Huskins, the rules are suspended and the bill is placed on the Calendar for June 29, 1983.

By Representatives Nesbitt, Barnes, Colton, N. J. Crawford, and Greenwood:

H. B. 1370, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS FOR A PILOT TRANSPORTATION PROJECT AT THE BUNCOMBE COUNTY REGIONAL DETENTION CENTER AS PROPOSED BY THE JUVENILE LAWS STUDY COMMISSION, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for H. B. 906, A BILL TO BE ENTITLED AN ACT TO SET AN EARLIER FILING DEADLINE FOR CITIES THAT USE THE NONPARTISAN PLURALITY METHOD OF ELECTION, is returned for concurrence in Senate committee substitute and is placed on the Calendar for June 29, 1983.

Senate Committee Substitute for House Committee Substitute for H. B. 911, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE APPLICABLE COURT SHALL MAKE THE DIVISION OF THE SETTLEMENT OF JUDGMENT COSTS AMONG JOINT TORTFEASORS IN ACTIONS BROUGHT UNDER THE WORKERS' COMPENSATION ACT WHEN THEY CANNOT AGREE AND PROVIDING FOR LIMITATIONS OF ITS APPLICABILITY, is returned for concurrence in Senate committee substitute and is placed on the Calendar for June 29, 1983.

Committee Substitute for H. B. 918, A BILL TO BE ENTITLED AN ACT TO MAKE INJURING LAW ENFORCEMENT AGENCY ANIMALS A FELONY, is returned for concurrence in two Senate amendments and is placed on the Calendar for June 29, 1983.

Committee Substitute for H. B. 1227, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITY AND COUNTY CLERKS TO ADMINISTER OATHS OF OFFICE, is returned for concurrence in Senate amendment and is placed on the Calendar for June 29, 1983.

S. B. 384, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOCAL BOARDS OF EDUCATION IN AVERY AND WATAUGA COUNTIES TO SCHEDULE LONGER SCHOOL DAYS SO AS TO OFFSET DAYS LOST DUE TO INCLEMENT WEATHER, is read the first time and is referred to the Committee on Education.

S. B. 636, A BILL TO BE ENTITLED AN ACT TO REPEAL CERTAIN OBSOLETE DEPARTMENT OF TRANSPORTATION STATUTES, is read the first time and is referred to the Committee on Transportation.

Committee Substitute for S. B. 102, A BILL TO BE ENTITLED AN ACT TO PRESCRIBE PERFORMANCE STANDARDS FOR MOTOR VEHICLE SUN SCREENING DEVICES, is read the first time and is referred to the Committee on Highway Safety.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 27, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the Senate adopts the report of the conferees on Senate Committee Substitute No. 2 for H. B. 413, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE

EQUITABLE DISTRIBUTION ACT, to the end that when a similar action has been taken on the part of the House, you may order the bill enrolled.

Respectfully,
S/ Sylvia Fink
Principal Clerk

The Speaker orders the bill enrolled.

SPECIAL MESSAGE FROM THE SENATE

Senate Chamber
June 27, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the Senate adopts the report of the conferees on Senate Committee Substitute for House Committee Substitute for H. B. 124, A BILL TO BE ENTITLED AN ACT TO EXPAND THE USE OF OUTPATIENT INVOLUNTARY COMMITMENTS FOR THE MENTALLY ILL, to the end that when a similar action has been taken on the part of the House, you may order the bill enrolled.

Respectfully,
S/ Sylvia Fink
Principal Clerk

The Speaker orders the bill enrolled.

CALENDAR

Action is taken on the following:

Committee Substitute for H. B. 115, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE LICENSING OF RESIDENTIAL GROUP CARE FACILITIES FOR CHILDREN.

On motion of Representative Beard, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 856, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF "RULE" FOR PURPOSES OF ADMINISTRATIVE PROCEDURE.

On motion of Representative Payne, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 724, A BILL TO BE ENTITLED AN ACT TO LIMIT MOTORBOAT NOISE ON VARIOUS LAKES.

On motion of Representative Black, Committee Amendment No. 1 is adopted.

Representative Hunter offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Committee Substitute for S. B. 209, A BILL TO BE ENTITLED AN ACT TO AMEND THE MOTOR VEHICLE LAWS IN CHAPTER 20 OF THE GENERAL STATUTES TO CONFORM TRUCK WEIGHTS ON STATE HIGHWAYS TO THE FEDERAL BRIDGE FORMULA AND TO UPDATE THE STATUTE BY MAKING OTHER CHANGES.

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House amendments.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Ballance, Barker, Beall, Beard, Berry, Black, Bowen, Brannan, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, J. W. Crawford, N. J. Crawford, Creecy, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holmes, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Miller, Murphy, Nash, Owens, Payne, Pool, Poovey, Pulley, Quinn, Redding, Rhodes, Roberts, Seymour, Slaughter, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 101.

Voting in the negative: None.

Committee Substitute for H. B. 541, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCOME TAX CREDIT FOR THE PURCHASE OF CONSERVATION TILLAGE EQUIPMENT FOR AGRICULTURE AND FORESTRY.

The bill, as amended, passes its third reading, by electronic vote (103-0), and is ordered engrossed and sent to the Senate.

House Committee Substitute for Senate Committee Substitute for S. B. 89, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 50 OF THE GENERAL STATUTES TO ESTABLISH PROCEDURES TO INSURE PAYMENT OF CHILD SUPPORT.

Representative Watkins offers Amendment No. 1 which is adopted by electronic vote (102-0).

The bill, as amended, passes its third reading, by electronic vote (108-0), and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

Committee Substitute No. 2 for H. B. 933, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALTERATION OF A MARRIAGE LICENSE WHEN A PARTY TO THE MARRIAGE LAWFULLY CHANGES HIS OR HER NAME, passes its second reading, by electronic vote (100-5), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 1314, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITIES TO SELL PROPERTY IN COMMUNITY DEVELOPMENT PROGRAMS TO REDEVELOPERS AT PRIVATE SALE, passes its second reading, by electronic vote (99-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 265, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA HOUSING COMMISSION.

On motion of Representative Cook, Committee Amendment No. 1 is adopted.

Representative Cook offers Amendment No. 2 which is adopted.

Representative Brannan calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its second reading, by electronic vote (68-41), and there being no objection is read a third time.

A division having been called, the bill, as amended, passes its third reading by electronic vote (66-41), and is ordered engrossed and sent to the Senate.

H. J. R. 1309, A JOINT RESOLUTION TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE DISPOSITION OF ANIMALS BY ANIMAL SHELTERS AND POUNDS.

On motion of Representative Stamey, Committee Amendment No. 1 is adopted.

The resolution, as amended, passes its second reading, by electronic vote (91-2), and there being no objection is read a third time.

The resolution, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. J. R. 1289, A JOINT RESOLUTION HONORING THE LIFE AND WORK OF MARION ALLEN WRIGHT, passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for S. B. 323, A BILL TO BE ENTITLED AN ACT REGARDING THE METHOD OF EXECUTION IN THIS STATE.

Representative Grimsley requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

On motion of Representative Slaughter, Committee Amendment No. 1 is adopted.

Representative Ballance offers Amendment No. 2 which fails of adoption by electronic vote (36-76).

Representative Miller moves that the bill be re-referred to the Committee on Corrections.

On motion of Representative Pulley, seconded by Representative Gentry, the motion to re-refer the bill is tabled by electronic vote (70-38).

Representative Pulley calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its second reading by electronic vote (90-20).

Representative Ballance objects to the third reading. The bill remains on the Calendar.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

S. B. 649, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF

GOVERNMENT AT THE LEVEL IN EFFECT ON JUNE 30, 1983, is read the first time.

On motion of Representative Watkins, the rules are suspended, and the bill is placed before the House for immediate consideration.

Representative Watkins offers an amendment which is adopted.

The bill, as amended, passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered returned to the Senate for concurrence in House amendment.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 28, 1983

Mr. Speaker:

Pursuant to your message that the House of Representatives fails to concur in Senate Committee Substitute for House Committee Substitute for H. B. 53, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS CONCERNING THE ADVISORY BUDGET COMMISSION AND OTHER BOARDS TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE ON SEPARATION OF POWERS, and requests conferees, the President appoints Senators Allsbrook, Royall, Jenkins, Swain, and O. Harris on the part of the Senate to confer with a like committee on the part of the House to the end that the differences between the two Bodies may be resolved.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 28, 1983

Mr. Speaker:

Pursuant to your message that the House of Representatives fails to concur in Senate Committee Substitute for House Committee Substitute for H. B. 255, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 74C, THE PRIVATE PROTECTIVE SERVICES ACT, and requests conferees, the President appoints Senators Rauch, J. Edwards, and Winner on the part of the Senate to confer with a like committee on the part of the House to the end that the differences between the two Bodies may be resolved.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 37, AN ACT TO RECODIFY CERTAIN CRIMINAL STATUTES REGARDING JAIL CONFINEMENTS.

H. B. 305, AN ACT TO AMEND THE LAWS PERTAINING TO THE EXECUTIVE MANSION FINE ARTS COMMITTEE.

H. B. 698, AN ACT TO STRENGTHEN THE PROHIBITION AGAINST DANGEROUS WEAPONS AT PARADES.

H. B. 773, AN ACT TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO LEASE THE RIGHT-OF-WAY OF INTERSTATE HIGHWAY 40 TO THE CITY OF WINSTON-SALEM FOR A PARKING FACILITY.

H. B. 1192, AN ACT TO REQUIRE A CONFERENCE ON JURY INSTRUCTIONS.

H. J. R. 1184, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF MARION D. THORPE.

On motion of Representative Hunt, seconded by Representative McDowell, the House adjourns to reconvene June 29, 1983 at 1:30 p.m.

ONE HUNDRED TWENTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Wednesday, June 29, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Lilley.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of June 28 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Burnley for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Enloe for the Committee on Employment Security:

S. B. 607, A BILL TO BE ENTITLED AN ACT TO ENSURE EQUAL TREATMENT OF UNEMPLOYED INDIVIDUALS WHO ARE MEMBERS OF NATIONAL GUARD UNITS AND UNEMPLOYED INDIVIDUALS WHO ARE MEMBERS OF UNITED STATES ARMED FORCES RESERVE COMPONENTS, with a favorable report.

By Representative Hackney for the Committee on Energy:

H. B. 755, A BILL TO BE ENTITLED AN ACT TO PROVIDE AUTHORITY TO IMPLEMENT A PETROLEUM ALLOCATION SET-ASIDE SYSTEM NECESSARY TO MANAGE AN ENERGY SHORTAGE WITHIN THE STATE, with an indefinite postponement report.

By Representative Church for the Committee on State Government:

S. B. 621, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 85B, RELATING TO AUCTIONS AND AUCTIONEERS, with a favorable report.

By Representative Varner for the Committee on Military and Veterans' Affairs.

Committee Substitute for S. B. 346, A BILL TO BE ENTITLED AN ACT TO PERMIT ACTIVE MEMBERS OF THE ARMED SERVICES AND THEIR DEPENDENTS TO BE ELIGIBLE FOR IN-STATE TUITION AT STATE COMMUNITY COLLEGES, TECHNICAL INSTITUTIONS AND THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA, with a favorable report.

By Representative Lilley for the Committee on Local Government No. 1:

H. B. 2, A BILL TO BE ENTITLED AN ACT TO PROHIBIT ANNEXATION INTO DAVIDSON COUNTY BY ANY GOVERNMENTAL UNIT LOCATED OUTSIDE OF DAVIDSON COUNTY, AND TO PROHIBIT ANNEXATION OF NONCONTIGUOUS TERRITORY WITHIN DAVIDSON COUNTY, with an unfavorable report.

H. B. 303, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ANNEXATION INTO UNION COUNTY BY ANY MUNICIPALITY LOCATED PRIMARILY OUTSIDE OF UNION COUNTY MAY ONLY BE BY REFERENDUM OR ONE HUNDRED PERCENT PETITION, with an unfavorable report.

H. B. 1109, A BILL TO BE ENTITLED AN ACT TO REQUIRE A REFERENDUM BEFORE ANNEXATION IF REQUESTED BY FIFTEEN PERCENT OF THE VOTERS IN THE AREA TO BE ANNEXED OR THE EXISTING CITY, BUT PROVIDING THAT THE CITY AND THE AREA TO BE ANNEXED SHALL VOTE TOGETHER ON THE QUESTION, with an unfavorable report.

By Representative McAlister for the Committee on Water and Air Resources:

H. B. 149, A BILL TO BE ENTITLED AN ACT TO FURTHER ASSURE THE HEALTH AND SAFETY OF THE CITIZENS LIVING NEAR THE PCB LANDFILL IN WARREN COUNTY, with an unfavorable report.

By Representative Wright for the Committee on Judiciary No. 2:

H. B. 1319, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN CHANGES TO VARIOUS CONSUMER PROTECTION STATUTES, with a favorable report.

By Representative Fussell for the Committee on Highway Safety:

H. B. 1326, A BILL TO BE ENTITLED AN ACT TO ALLOW A LIMITED DRIVING PRIVILEGE UPON CONVICTION OF SPEEDING VIOLATIONS, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for July 1, 1983. The original bill is placed on the Unfavorable Calendar.

On motion of Representative Church, H. B. 1364, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN ADDITIONAL EXEMPTION FROM THE REQUIREMENT OF EXAMINATION BEFORE BEING LICENSED AS A VETERINARIAN, is withdrawn from the Committee on State Government and is re-referred to the Committee on Agriculture.

By Representative Jordan for the Committee on State Personnel:

Committee Substitute for S. B. 251, A BILL TO BE ENTITLED AN ACT TO PERMIT COUNTY COMMISSIONERS TO ADOPT SUBSTANTIALLY EQUIVALENT POLICIES FOR PORTIONS OF THE STATE PERSONNEL ACT FOR COUNTY EMPLOYEES SUBJECT TO CHAPTER 126, with a favorable report.

By Representative Mavretic for the Committee on Pensions and Retirement:

S. B. 508, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATE TREASURER'S INVESTMENT AUTHORITY AND TO ENHANCE THE MANAGEMENT OF THE TRUST FUND INVESTMENT PROGRAM, with a favorable report.

By Representative Helms for the Committee on Courts and Administration of Justice:

H. B. 899, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A CONFERENCE OF DISTRICT ATTORNEYS AND TO PROVIDE FOR AN EXECUTIVE SECRETARY OF THE CONFERENCE WHO ALSO SERVES AS THE ADMINISTRATOR FOR PROSECUTION SERVICES OF THE ADMINISTRATIVE OFFICE OF THE COURTS, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title, and recommendation that the substitute bill be re-referred to the Committee on Appropriations.

The substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

S. B. 504, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE VENUE FOR THE TRIAL OF FELONY OFFENSES COMMITTED WITHIN THE CORPORATE LIMITS OF A MUNICIPALITY WHICH LIES WITHIN MORE THAN ONE COUNTY, with an unfavorable report as to bill, favorable as to House committee substitute bill.

The House committee substitute bill is placed on the Calendar for July 1, 1983. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Seymour, Burnley, Coble, Gist, Grimsley, Jarrell, and Keesee:

H. B. 1371, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN HOUSING AUTHORITIES TO ENGAGE IN MODERATE INCOME HOUSING, is referred to the Committee on Local Government No. 2.

By Representatives N. J. Crawford, and J. W. Crawford (co-sponsors); Ballance, Barker, Bowen, Brannan, Brown, Childress, Coble, Colton, Enloe, Evans, Gillam, Gist, Greenwood, Grimsley, Holt, Hunter, James, Jarrell, Jones, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Locks, McAlister, McDowell, Mavretic, Murphy, Nesbitt, Owens, Seymour, Stamey, and Tyson:

H. B. 1372, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO STIMULATE AND ACCELERATE THE CONSERVATION OF SOIL AND WATER RESOURCES IN NORTH CAROLINA, is referred to the Committee on Appropriations.

By Representatives Hauser, Berry, Blue, Childress, Edwards, Foster, Jones, Kennedy, Locks, Seymour, and Womble:

H. B. 1373, A BILL TO BE ENTITLED AN ACT TO PROVIDE SPECIAL IDENTIFICATION CARDS FOR NONOPERATORS TWELVE YEARS OR OLDER, is referred to the Committee on Transportation.

By Representative Miller:

H. B. 1374, A BILL TO BE ENTITLED AN ACT TO AMEND THE PRIMA FACIE EVIDENCE RULE FOR ENFORCEMENT OF PARKING REGULATIONS, is referred to the Committee on Highway Safety.

By Representative Hunter:

H. B. 1375, A BILL TO BE ENTITLED AN ACT TO CAUSE THE SURVIVING DESIGNATED BENEFICIARY OF A DECEASED DISABLED MEMBER OF ANY OF THE SIX STATE-ADMINISTERED RETIREMENT SYSTEMS WHO DID NOT LIVE TO THE EFFECTIVE DATE OF A DISABILITY RETIREMENT TO BE PAID A MONTHLY RETIREMENT ALLOWANCE EQUAL TO THE ONE HUNDRED PERCENT JOINT SURVIVORSHIP ALLOWANCE WHICH COULD OTHERWISE HAVE BEEN PAID HAD THE MEMBER LIVED TO THE EFFECTIVE DATE OF A DISABILITY RETIREMENT, is referred to the Committee on Pensions and Retirement.

By Representative Watkins:

H. B. 1376, A BILL TO BE ENTITLED AN ACT TO FUND THE INDIGENT DEFENSE SYSTEM IN THE JUDICIAL DEPARTMENT PURSUANT TO AN EMERGENCY ORDER ISSUED BY THE GOVERNOR, is referred to the Committee on Appropriations.

By Representative Hunter:

H. B. 1377, A BILL TO BE ENTITLED AN ACT TO REQUIRE HOSPITALS WHICH ARE NONPARTICIPANTS OR NONMEMBERS OF REGULATED MEDICAL SERVICE PLANS TO INFORM PATIENTS OF THAT STATUS, is referred to the Committee on Judiciary No. 4.

By Representative Hunter:

H. B. 1378, A BILL TO BE ENTITLED AN ACT TO REQUIRE CONTRACTS OR CERTIFICATES ISSUED BY MEDICAL SERVICE PLANS TO STATE WHICH HOSPITALS ARE NOT PLAN PARTICIPANTS AND TO REQUIRE THESE PLANS TO PAY NINETY PERCENT OF COVERED SERVICES IN NONPARTICIPATING HOSPITALS, is referred to the Committee on Insurance.

By Representative Blue:

H. B. 1379, A BILL TO BE ENTITLED AN ACT CREATING THE CRIMINAL CODE REVISION STUDY COMMITTEE, is referred to the Committee on State Government.

By Representative Wright:

H. B. 1380, A BILL TO BE ENTITLED AN ACT TO RECOGNIZE THAT THE SUN HAS SET AND NIGHT SHOULD FALL ON THE LAW ENFORCEMENT OFFICERS' MINIMUM SALARY ACT, is referred to the Committee on Law Enforcement.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for H. B. 343, A BILL TO BE ENTITLED AN ACT TO REVISE PORTIONS OF CHAPTER 162 RELATING TO SHERIFFS, is returned for concurrence in two Senate amendments and is placed on the Calendar for June 30, 1983.

Senate Committee Substitute for House Committee Substitute for H. B. 767, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 90-108 TO PROHIBIT EMBEZZLEMENT OF CONTROLLED SUBSTANCES BY EMPLOYEES OF PRACTITIONERS AND REGISTRANTS, AND TO PROHIBIT "DOCTOR SHOPPING" AS A MEANS OF FRAUDULENTLY OBTAINING CONTROLLED SUBSTANCES FROM PRACTITIONERS, is returned for concurrence in Senate committee substitute and is referred to the Committee on Health.

Committee Substitute for H. B. 937, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A UNIFORM EVICTION POLICY, is returned for concurrence in Senate amendment and is placed on the Calendar for June 30, 1983.

Senate Committee Substitute for House Committee Substitute for H. B. 1221, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN LIMITED PARTNERSHIP DEBT OBLIGATIONS FROM THE APPLICATION OF THE STATE'S INTEREST LAWS, is returned for concurrence in Senate committee substitute and is referred to the Committee on Banks and Thrift Institutions.

Senate Committee Substitute for H. B. 1226, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE TIME WHEN MUNICIPAL ORDINANCES ARE INTRODUCED, is returned for concurrence in Senate committee substitute and is referred to the Committee on Judiciary No. 2.

Committee Substitute for S. B. 587, A BILL TO BE ENTITLED AN ACT PROHIBITING CONTESTS INVOLVING FIREARMS ON OR NEAR AN ABC PERMIT HOLDER'S PREMISES, is read the first time and is referred to the Committee on Rules and Operation of the House.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for H. B. 906, A BILL TO BE ENTITLED AN ACT TO SET AN EARLIER FILING DEADLINE FOR CITIES THAT USE THE NONPARTISAN PLURALITY METHOD OF ELECTION.

On motion of Representative Poovey, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

Senate Committee Substitute for House Committee Substitute for H. B. 911, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE APPLICABLE COURT SHALL MAKE THE DIVISION OF THE SETTLEMENT OR JUDGMENT COSTS AMONG JOINT TORTFEASORS IN ACTIONS BROUGHT UNDER THE WORKERS' COMPENSATION ACT WHEN THEY CANNOT AGREE AND PROVIDING FOR LIMITATIONS OF ITS APPLICABILITY.

On motion of Representative Roberts, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

Committee Substitute for H. B. 918, A BILL TO BE ENTITLED AN ACT TO MAKE INJURING LAW ENFORCEMENT AGENCY ANIMALS A FELONY.

On motion of Representative Evans, the House concurs in two Senate amendments and the bill is ordered enrolled. Amendment No. 1 changes the title.

Committee Substitute for H. B. 1227, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITY AND COUNTY CLERKS TO ADMINISTER OATHS OF OFFICE.

On motion of Representative Wright, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 1369, A BILL TO BE ENTITLED AN ACT TO ENLARGE THE MOORESVILLE CITY SCHOOL DISTRICT.

Representative Huskins offers Amendment No. 1 which is adopted.

Representative Brawley moves that the bill be re-referred to the Committee on Education and this motion fails by electronic vote (19-88).

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brennan, Bumgardner, Chapin, Childress, Church, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hauser, Hayden, Helms, Hightower, Holt, Hudson, C. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Pool, Pulley, Quinn, Rabon, Rhodes, Roberts, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 99.

Voting in the negative: Representatives Allran, Brawley, Brown, Brubaker, Cochrane, Poovey, and Redding — 7.

Excused absences: Representatives Burnley and Robinson — 2.

Committee Substitute for H. B. 489, A BILL TO BE ENTITLED AN ACT TO DEFINE THE CONDITIONS UNDER WHICH CERTAIN BINGO GAMES AND RAFFLES ARE LAWFUL.

Representative Bruce Ethridge offers Amendment No. 1, which is ruled to be material, thus constituting the first reading of the bill. The amendment is adopted by the following vote.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Barbee, Barker, Barnes, Beall, Beam, Beard, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Chapin, Childress, Church, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Nash, Nesbitt, Owens, Payne, Pool, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Seymour, Slaughter, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, and Wright — 106.

Voting in the negative: Representatives Adams and Ballance — 2.

Excused absences: Representatives Burnley and Robinson — 2.

The bill is placed on the Calendar for June 30, 1983 for its second roll call reading.

Committee Substitute for S. B. 238, A BILL TO BE ENTITLED AN ACT TO CREATE THE PRIVATE PROTECTIVE SERVICES RECOVERY FUND, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Berry, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Chapin, Childress, Church, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, DeVane, Diamont, Easterling, Economos, Edwards, Bob Etheridge, Bruce Ethridge, Fenner, Fletcher, Foster, Fulcher, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jordan, Keesee, Kennedy, Lambeth, Lancaster, Lee, Lilley, Lutz, McAlister, McDowell, Matthews, Mauney, Miller, Murphy, Nash, Nesbitt, Owens, Payne, Pulley, Quinn, Redding, Rhodes, Roberts, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, and Wright — 95.

Voting in the negative: None.

Excused absences: Representatives Burnley and Robinson — 2.

Committee Substitute for S. B. 323, A BILL TO BE ENTITLED AN ACT REGARDING THE METHOD OF EXECUTION IN THIS STATE.

Representative Grimsley requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

Representative Slaughter offers Amendment No. 3 which is adopted by electronic vote (91-3).

Representative Ballance moves that the bill be postponed indefinitely and this motion fails by electronic vote (31-75).

Representative Slaughter calls the previous question on the passage of the bill, and the call is sustained by electronic vote (86-22).

The bill, as amended, passes its third reading, by electronic vote (75-31), and is ordered sent to the Senate for concurrence in House amendment.

H. B. 1285, A BILL TO BE ENTITLED AN ACT TO PLACE IN THE ADMINISTRATIVE OFFICE OF THE COURTS THE AUTHORITY TO ADOPT REGULATIONS GOVERNING THE INDIGENT DEFENSE PROGRAM.

Representative Helms calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its second reading by electronic vote (66-30).

Representative Barnes objects to the third reading. The bill remains on the Calendar.

Committee Substitute No. 2 for H. B. 950, A BILL TO BE ENTITLED AN ACT TO PROHIBIT UNAUTHORIZED POSSESSION OF WEAPONS AND CERTAIN SUBSTANCES ON THE GROUNDS OF ANY MENTAL OR PENAL INSTITUTION, OR LOCAL CONFINEMENT FACILITY.

On motion of Representative Wicker, the bill is re-referred to the Committee on Judiciary No. 2.

SUSPENSION OF RULES TO INTRODUCE LOCAL BILL

On motion of Representative Mavretic, Rule 31.1 is suspended by a two-thirds majority vote in order for a local bill to be filed.

CALENDAR (continued)

Committee Substitute for H. B. 130, A BILL TO BE ENTITLED AN ACT AUTHORIZING A REFUND OF THE EXCISE TAX LEVIED ON SACRAMENTAL WINE, passes its second reading, by electronic vote (93-6).

Representative Bob Etheridge objects to the third reading. The bill remains on the Calendar.

H. B. 1207, A BILL TO BE ENTITLED AN ACT TO EXEMPT COIN-OPERATED LAUNDRIES FROM SALES TAX.

On motion of Representative Roberts, Committee Amendment No. 1 is adopted.

Representative Roberts calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its second readiing by electronic vote (65-40).

Representative Adams objects to the third reading. The bill remains on the Calendar.

H. B. 1354, A BILL TO BE ENTITLED AN ACT TO AMEND THE SUBPOENA LAW RELATING TO THE PRODUCTION OF DOCUMENTARY EVIDENCE, passes its second reading, by electronic vote (92-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 1363, A BILL TO BE ENTITLED AN ACT TO ABOLISH CERTAIN COMMITTEES AND COMMISSIONS UNDER THE DEPARTMENT OF CULTURAL RESOURCES.

On motion of Representative Lambeth, the bill is re-referred to the Committee on Judiciary No. 2.

H. B. 1318, A BILL TO BE ENTITLED AN ACT TO AMEND THE MEMBERSHIP COMPOSITION OF THE GOVERNOR'S WASTE MANAGEMENT BOARD.

On motion of Representative B. Woodard, consideration of the bill is postponed until June 30, 1983.

H. B. 1344, A BILL TO BE ENTITLED AN ACT TO AMEND QUALIFICATIONS FOR LICENSURE FOR NURSING HOME ADMINISTRATORS.

On motion of Representative Holt, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (90-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 1346, A BILL TO BE ENTITLED AN ACT CONCERNING CERTIFICATION OF CROP SEEDS, passes its second reading, by electronic vote (92-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S. B. 603, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A SINGLE LEGAL AGE FOR INITIAL ENTRY INTO THE PUBLIC SCHOOL SYSTEM IN NORTH CAROLINA, passes its second reading, by electronic vote (94-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 29, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the Senate adopts the report of the conferees on Senate Committee Substitute for House Committee Substitute No. 2 for H. B. 800, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 65 RELATING TO FUNERAL AND BURIAL TRUST FUNDS, to the end that when a similar action has been taken on the part of the House, you may order the bill enrolled.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

INTRODUCTION OF BILLS AND RESOLUTIONS

On motion of Representative Mavretic, the rules are suspended and the following is read the first time:

By Representatives Mavretic, Barbee, Fenner, and Matthews:

H. B. 1387, A BILL TO BE ENTITLED AN ACT TO PREVENT DRIFT HUNTING ON SWIFT CREEK IN EDGECOMBE COUNTY, is referred to the Committee on Wildlife Resources.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. B. 107, A BILL TO BE ENTITLED AN ACT TO REVISE THE ANNEXATION LAWS.

H. B. 115, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE LICENSING OF RESIDENTIAL GROUP CARE FACILITIES FOR CHILDREN.

H. B. 124, A BILL TO BE ENTITLED AN ACT TO EXPAND THE USE OF OUTPATIENT INVOLUNTARY COMMITMENTS FOR THE MENTALLY ILL.

H. B. 356, A BILL TO BE ENTITLED AN ACT TO DELAY THE EFFECTIVE DATE FOR THE REMOVAL OF JUVENILES FROM JAILS.

H. B. 413, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS TO THE EQUITABLE DISTRIBUTION ACT.

H. B. 856, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DEFINITION OF "RULE" FOR PURPOSES OF ADMINISTRATIVE PROCEDURE.

H. B. 1222, A BILL TO BE ENTITLED AN ACT TO ALLOW COUNTY SERVICE DISTRICTS ESTABLISHED FOR FIRE PROTECTION PURPOSES TO ALSO FURNISH EMERGENCY MEDICAL, RESCUE AND AMBULANCE SERVICES.

On motion of Representative Hunt, seconded by Representative Easterling, the House adjourns to reconvene June 30, 1983 at 1:30 p.m.

ONE HUNDRED TWENTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Thursday, June 30, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Berry.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of June 29 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Burnley, Kennedy, and Rhodes for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Economos for the Committee on Aging:

H. B. 923, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCOME TAX CREDIT TO THOSE WHO PROVIDE HOME CARE FOR ELDERLY INDIVIDUALS WHO WOULD OTHERWISE BE INSTITUTIONALIZED, with an unfavorable report as to bill, favorable as to committee substitute bill and recommendation that the substitute bill be re-referred to the Committee on Finance.

The substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

H. B. 1356, A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIME OF ABUSING OR EXPLOITING A DISABLED ADULT, with a favorable report.

By Representative Lambeth for the Committee on Wildlife Resources:

H. B. 1387, A BILL TO BE ENTITLED AN ACT TO PREVENT DRIFT HUNTING ON SWIFT CREEK IN EDGECOMBE COUNTY, with a favorable report, as amended.

By Representative Jordan for the Committee on State Personnel:

H. B. 372, A BILL TO BE ENTITLED AN ACT TO EXEMPT MECKLENBURG COUNTY EMPLOYEES AND MECKLENBURG COUNTY AREA MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE AUTHORITY EMPLOYEES FROM THE PROVISIONS OF CHAPTER 126 OF THE GENERAL STATUTES, with an unfavorable report.

By Representative Brennan for the Committee on Human Resources:

H. B. 1320, A BILL TO BE ENTITLED AN ACT TO ALLOW POLITICAL SUBDIVISIONS TO EXERCISE ZONING JURISDICTION OVER FAMILY CARE HOMES, with an unfavorable report.

By Representative Quinn for the Committee on Finance:

Committee Substitute for H. B. 785, A BILL TO BE ENTITLED AN ACT TO BE KNOWN AS THE NORTH CAROLINA TIME SHARE ACT AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with a favorable report.

H. B. 1266, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN TRAILER CONVERTERS FROM THE MOTOR VEHICLE REGISTRATION REQUIREMENTS, with a favorable report.

H. B. 1312, A BILL TO BE ENTITLED AN ACT TO IMPOSE A TAX ON RAILROADS BASED ON THE NUMBER OF FREIGHT CAR MILES TRAVELED BY THE RAILROAD, with an unfavorable report.

H. B. 1368, A BILL TO BE ENTITLED AN ACT TO ALLOW FIVE ACRE HORTICULTURAL TRACTS TO QUALIFY FOR USE VALUATION, with a favorable report.

By Representative Watkins for the Committee on Appropriations:

Senate Committee Substitute for S. B. 141, A BILL TO BE ENTITLED AN ACT TO REWRITE THE PUBLIC HEALTH LAWS, with an unfavorable report as to Senate committee substitute bill, favorable as to House committee substitute bill.

On motion of Representative Bob Etheridge, the rules are suspended and the bill is placed before the House for immediate consideration.

Representative Bob Etheridge offers Amendment No. 1 which is adopted.

Representative Bob Etheridge offers Amendment No. 2 which is adopted.

Representative Bob Etheridge offers Amendment No. 3 which is adopted.

Representative Bob Etheridge offers Amendment No. 4 which is adopted by electronic vote (98-0).

Representative Mavretic offers Amendment No. 5 which is adopted.

Representative C. Woodard offers Amendment No. 6 which is adopted.

Representative Barker offers Amendment No. 7 which is adopted.

Representative Hudson offers Amendment No. 8.

Representative Black requests that he be excused from voting on Amendment No. 8 under Rule 24.1A and this request is granted.

Representative Hudson calls the previous question on Amendment No. 8 and the call is sustained.

Amendment No. 8 fails of adoption by electronic vote (39-61).

Representative Hackney offers Amendment No. 9 which is adopted.

Representative Beam offers Amendment No. 10 which is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Auman, Ballance, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brennan, Brubaker, Chapin, Childress, Church, Clark, Coble, Cochrane, J. W. Crawford, N. J. Crawford, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Holmes, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, Matthews, Mauney, Mavretic, Miller, Musselwhite, Nash, Owens, Payne, Poovey, Pulley, Rabon, Redding, Roberts, Robinson, Seymour, Spaulding, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Womble, B. Woodard, C. Woodard, and Wright — 93.

Voting in the negative: Representative Brawley.

Excused absences: Representatives Burnley, Colton, Kennedy, and Rhodes — 4.

By Representative Wright for the Committee on Judiciary No. 2:

H. B. 1347, A BILL TO BE ENTITLED AN ACT TO CLARIFY REQUIREMENTS FOR BARBERS LICENSED IN OTHER STATES SEEKING LICENSURE IN NORTH CAROLINA, with a favorable report.

By Representative Hunt for the Committee on Rules and Operation of the House:

H. B. 1295, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A SUNSET ON BOARDS OR COMMISSIONS CREATED BY EXECUTIVE ORDER OF THE GOVERNOR, with an unfavorable report as to bill, favorable as to committee substitute bill, as amended.

The substitute bill is placed on the Calendar for July 4, 1983. The original bill is placed on the Unfavorable Calendar.

H. J. R. 1321, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY BOARDS, COMMISSIONS, AND COUNCILS IN THE EXECUTIVE BRANCH, with a favorable report.

H. J. R. 1334, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE FEASIBILITY OF A FOOD DISTRIBUTION FACILITY ON THE DIX FARM PROPERTY IN RALEIGH, with a favorable report.

H. J. R. 1360, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JOHN COLTRANE, with a favorable report.

S. J. R. 409, A JOINT RESOLUTION HONORING THE BRAVE LIFE OF ANTHONY CLYDE CORN, with a favorable report.

S. J. R. 585, A JOINT RESOLUTION RECOGNIZING AND CLARIFYING THE POLICY OF THIS STATE TO AFFORD THE OPPORTUNITY FOR MENTALLY AND DEVELOPMENTALLY DISABLED PERSONS FOR ADEQUATE COMMUNITY SUPPORT SERVICES, with a favorable report, as amended.

By Representative Wright for the Committee on Judiciary No. 2:

H. B. 1272, A BILL TO BE ENTITLED AN ACT TO REQUIRE NOTIFICATION OF DISTRICT ATTORNEYS BY THE PAROLE COMMISSION IN ALL CASES WHERE THE COMMISSION IS CONSIDERING PAROLE OF A PRISONER SENTENCED FOR EIGHTEEN MONTHS OR LONGER, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for July 4, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Bumgardner for the Committee on Transportation:

S. B. 602, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 147 OF THE GENERAL STATUTES TO ALLOW FOR THE PAYROLL DEDUCTION BY A DEPARTMENT OF TRANSPORTATION EMPLOYEE REQUIRED BY FEDERAL AND STATE LAW TO WEAR DAY-GLO ORANGE SHIRTS OR VESTS OF THE COST OF UNIFORM RENTAL AND INSURANCE PREMIUMS, with a favorable report.

S. B. 636, A BILL TO BE ENTITLED AN ACT TO REPEAL CERTAIN OBSOLETE DEPARTMENT OF TRANSPORTATION STATUTES, with a favorable report.

By Representative Miller for the Committee on Judiciary No. 1:

H. B. 1119, A BILL TO BE ENTITLED AN ACT TO INCREASE FROM TEN TO THIRTY THOUSAND DOLLARS THE THRESHOLD AT WHICH PUBLIC BODIES MUST REQUIRE PAYMENT AND PERFORMANCE BONDS OF CONTRACTORS AWARDED PUBLIC CONSTRUCTION CONTRACTS AND TO PERMIT PUBLIC BODIES TO REQUIRE BONDS FOR PUBLIC CONTRACTS OF LESS THAN THIRTY THOUSAND DOLLARS, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for July 4, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Pulley for the Committee on Judiciary No. 4:

H. B. 1367, A BILL TO BE ENTITLED AN ACT TO CORRECT A TECHNICAL CONFLICT BETWEEN CHAPTER 567 AND CHAPTER 561 OF THE SESSION LAWS OF 1983, with a favorable report.

S. B. 338, A BILL TO BE ENTITLED AN ACT TO INCLUDE WITHIN THE STATUTORY PROVISIONS FOR THE DEFENSE OF STATE EMPLOYEES THOSE PERSONS OR PROFESSIONAL ASSOCIATIONS WHO PROVIDE MEDICAL AND DENTAL SERVICES TO PRISON INMATES AT THE REQUEST OF THE DEPARTMENT OF CORRECTION, with an indefinite postponement report.

S. B. 473, A BILL TO BE ENTITLED AN ACT TO MAKE SHOPPING CART THEFT UNLAWFUL, with a favorable report.

Committee substitute for S. B. 184, A BILL TO BE ENTITLED AN ACT TO ALLOW INCLUSION OF CERTAIN JUVENILE RECORDS IN PRE-SENTENCE REPORTS, with an unfavorable report as to bill, favorable as to House committee substitute bill.

The House committee substitute bill is placed on the Calendar for July 4, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Hightower for the Committee on Insurance:

Senate Committee Substitute for H. B. 58, A BILL TO BE ENTITLED AN ACT TO AMEND THE GROUP HEALTH INSURANCE CONTINUATION AND CONVERSION PRIVILEGES LAW WITH REGARD TO CONVERSION POLICY RATE FILINGS, with recommendation that the House concur.

On motion of Representative Hightower, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Hightower, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

By Representative Hunt for the Committee on Rules and Operation of the House:

H. B. 1243, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY INSURANCE LAWS AND REGULATION OF THE INSURANCE INDUSTRY, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Appropriations.

On motion of Representative Adams, Committee Amendment No. 1 is adopted.

On motion of Representative Pulley, Committee Amendment No. 2 is adopted.

The bill is ordered engrossed and re-referred to the Committee on Appropriations.

By Representative Rabon for the Committee on Manufacturers and Labor:

H. B. 1306, A BILL TO BE ENTITLED AN ACT TO PERMIT PAYMENT OF DIVIDENDS FOR EMPLOYER GROUPS, with a favorable report.

By Representative Lancaster for the Committee on Judiciary No. 3:

H. B. 11, A BILL TO BE ENTITLED AN ACT TO INCREASE THE PENALTIES FOR REFUSING TO SUBMIT TO CHEMICAL TESTS AND FOR DRIVING UNDER THE INFLUENCE OF LIQUOR OR DRUGS, with an indefinite postponement report.

H. B. 360, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE AND CLARIFY THE LAWS REGARDING EXPUNCTION OF CRIMINAL RECORDS, TO REMOVE AGE LIMITATIONS, TO EXTEND THE PRIVILEGE OF EXPUNCTION TO DEFENDANTS WHO SUCCESSFULLY COMPLETE DEFERRED PROSECUTION, AND TO CLARIFY THE EFFECT OF AN EXPUNCTION ORDER, with an unfavorable report as to bill, favorable as to committee substitute House joint resolution, which changes the title, and recommendation that the House joint resolution be re-referred to the Committee on Appropriations.

The committee substitute House joint resolution is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

S. B. 113, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT CERTAIN PRIVATE ROADS SERVING AS THE ONLY LAND ACCESS BETWEEN TWO COMMUNITIES MUST BE OPEN, with an unfavorable report as to bill, favorable as to committee substitute House joint resolution, which changes the title.

The committee substitute House joint resolution is placed on the Calendar for July 4, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Evans for the Committee on Banks and Thrift Institutions:

Senate Committee Substitute for H. B. 1221, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN LIMITED PARTNERSHIP DEBT OBLIGATIONS FROM THE APPLICATION OF THE STATE'S INTEREST LAWS, with recommendation that the House do not concur; request conferees.

On motion of Representative Evans, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Evans, the House does not concur in the Senate committee substitute and conferees are requested.

The Speaker announces the appointment of Representatives Evans, Chairman; Warren and Tennille as conferees and the Senate is so notified by Special Message.

Representative Pulley sends forth the following Conference Report and moves its adoption.

CONFERENCE REPORT

June 30, 1983

TO: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on Senate Committee Substitute for House Committee Substitute No. 2 for H. B. 800, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 65 RELATING TO FUNERAL AND BURIAL TRUST FUNDS, wish to report as follows: The Conference Committee recommends that the differences between the Senate and House of Representatives regarding the Senate Committee Substitute for House Committee Substitute #2 for House Bill 800 be resolved by amending the Senate Committee Substitute for H. B. 800 on page 5 by deleting lines 1-15 and substituting:

"(b) Before any trust funds may be transferred to a financial institution that is not a party to a pre-need burial contract, the licensee shall notify the Commissioner of the name and address of the intended transferee financial institution; and before the transfer may be made, the transferee financial institution shall agree to make the disclosure required under the pre-need burial contract to the Commissioner or his designated examiner. If the contract is revocable, the licensee shall notify the contracting party of the intended transfer."

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 30th day of June, 1983.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ Jim Edwards	S/ W. Paul Pulley
S/ Ben Tison	S/ Louise Brennan
S/ C. R. Jenkins	S/ Robert C. Hunter

The Conference report is adopted, by electronic vote (93-0), and the Senate is so notified by Special Message.

The Speaker orders the bill enrolled.

SUSPENSION OF RULES TO INTRODUCE LOCAL BILL

On motion of Representative Roberts, Rule 31.1 is suspended by a two-thirds majority vote in order for a local bill to be filed.

On motion of Representative Watkins, Rule 31.1 is suspended by a two-thirds majority vote in order for a local bill to be filed.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Pool and Bowen:

H. B. 1381, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO BLADEN COUNTY TO CONDUCT AN ENGINEERING STUDY FOR A PROPOSED INDUSTRIAL PARK IN BLADEN COUNTY, is referred to the Committee on Appropriations.

By Representative Bob Etheridge:

H. B. 1382, A BILL TO BE ENTITLED AN ACT TO PERMIT EMPLOYEES OF THE STATE EMPLOYEES' CREDIT UNION THE OPTION OF TERMINATING MEMBERSHIP IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, is referred to the Committee on Pensions and Retirement.

By Representatives Hackney and Bruce Ethridge:

H. B. 1383, A BILL TO BE ENTITLED AN ACT CONCERNING INACTIVE HAZARDOUS SUBSTANCE DISPOSAL SITES, is referred to the Committee on Water and Air Resources.

By Representative Miller:

H. B. 1384, A BILL TO BE ENTITLED AN ACT TO RESTRICT THE USE OF THE LIST OF LICENSED DRIVERS TO JURY SELECTION PURPOSES ONLY, is referred to the Committee on Transportation.

By Representatives Nesbitt, Colton, N. J. Crawford, Greenwood, and Hightower:

H. J. R. 1385, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CLAUDE DEBRUHL, is referred to the Committee on Rules and Operation of the House.

By Representatives Jeralds, Ballance, Berry, Black, Blue, Childress, Creecy, DeVane, Edwards, Enloe, Gist, Grimsley, Hasty, Hauser, Jarrell, Kennedy, Locks, Seymour, and Tennille:

H. B. 1386, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING ESCHEAT RECEIPTS, is referred to the Committee on Higher Education.

On motion of Representatives Roberts, the rules are suspended and the following is read the first time:

By Representatives Roberts, Beam, Bumgardner, and Mauney:

H. B. 1393, A BILL TO BE ENTITLED AN ACT TO REWRITE THE GASTONIA POLICEMEN'S SUPPLEMENTARY PENSION FUND ACT, is referred to the Committee on Pensions and Retirement.

SPECIAL MESSAGE FROM THE SENATE

The following Special Message is received from the Senate:

S. J. R. 655, A JOINT RESOLUTION TO CHANGE THE DATE OF NOMINATION AND ELECTION OF THE UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, is read the first time and is referred to the Committee on Rules and Operation of the House.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for House Committee Substitute for H. B. 96, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY AND CODIFY THE RULES OF EVIDENCE, is returned for concurrence in Senate committee substitute and is referred to the Committee on Judiciary No. 4.

Committee Substitute for S. B. 147, A BILL TO BE ENTITLED AN ACT RELATING TO THE LAW ENFORCEMENT AUTHORITY OF WILDLIFE PROTECTORS, is read the first time and is referred to the Committee on Law Enforcement.

Senate Committee Substitute for H. B. 545, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 25A OF THE GENERAL STATUTES TO CLARIFY THE DEFINITION OF "SALE" IN THE RETAIL INSTALLMENT SALES ACT, is returned for concurrence in Senate committee substitute and is referred to the Committee on Judiciary No. 2.

Senate Committee Substitute for H. B. 864, A BILL TO BE ENTITLED AN ACT TO REPEAL PREVIOUS NEW HANOVER COUNTY LOCAL ACTS CONCERNING TAXING AND REGULATION OF PROFESSIONAL BONDSMEN, AND ESTABLISHING A LAW LIBRARY, is returned for concurrence in Senate committee substitute and is referred to the Committee on Local Government No. 1.

Senate Committee Substitute for H. B. 905, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 7A OF THE GENERAL STATUTES BY ELIMINATING THE JUDICIAL COUNCIL, is returned for concurrence in Senate committee substitute and is referred to the Committee on Rules and Operation of the House.

Committee Substitute for S. B. 543, A BILL TO BE ENTITLED AN ACT TO REGULATE ARCHITECTS AND ENGINEERS IN THEIR RELATIONS WITH CONTRACTORS, is read the first time and is referred to the Committee on Rules and Operation of the House.

S. B. 626, A BILL TO BE ENTITLED AN ACT TO TAX ALL COMMERCIALLY MANUFACTURED SWINE, LIVESTOCK, AND POULTRY EQUIPMENT USED BY FARMERS AT A UNIFORM RATE, is read the first time and is referred to the Committee on Rules and Operation of the House.

CALENDAR

Action is taken on the following:

Committee Substitute for H. B. 343, A BILL TO BE ENTITLED AN ACT TO REVISE PORTIONS OF CHAPTER 162 RELATING TO SHERIFFS.

On motion of Representative Barnes, the House concurs in the two Senate amendments and the bill is ordered enrolled.

Committee Substitute for H. B. 937, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A UNIFORM EVICTION POLICY.

On motion of Representative Tennille, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 1369, A BILL TO BE ENTITLED AN ACT TO ENLARGE THE MOORESVILLE CITY SCHOOL DISTRICT.

Representative Brawley moves that the bill be re-referred to the Committee on Education.

On motion of Representative Huskins, seconded by Representative Clark, the motion to re-refer is tabled by electronic vote (85-15).

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brennan, Bumgardner, Chapin, Childress, Church, Clark, Colton, Cook, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Fletcher, Foster, Fulcher, Gentry, Gist, Greenwood, Grimsley, Hackney, Hauser, Hayden, Helms, Hightower, Hudson, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Lambeth, Lancaster, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Pulley, Quinn, Rabon, Roberts, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, and Wright — 89.

Voting in the negative: Representatives Brawley, Brown, Brubaker, Coble, Cochrane, Holmes, C. Hughes, Jordan, Keesee, Lacey, Poovey, and Redding — 12.

Excused absences: Representatives Burnley, Kennedy, and Rhodes — 3.

Committee Substitute for S. B. 238, A BILL TO BE ENTITLED AN ACT TO CREATE THE PRIVATE PROTECTIVE SERVICES RECOVERY FUND, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Allran, Auman, Ballance, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brawley, Brennan, Brubaker, Bumgardner, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, Cook, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Fletcher, Foster, Fulcher, Gentry, Gist, Grimsley, Hackney, Hauser, Hayden, Helms, Hightower, Holmes, Hudson, C. Hughes, J. Hughes, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Roberts, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, and Wright — 100.

Voting in the negative: None.

Excused absences: Representatives Burnley, Kennedy, and Rhodes — 3.

Committee Substitute for H. B. 489, A BILL TO BE ENTITLED AN ACT TO

DEFINE THE CONDITIONS UNDER WHICH CERTAIN BINGO GAMES AND RAFFLES ARE LAWFUL.

Representative Bruce Ethridge offers Amendment No. 2 which is adopted.

Representative Hunter offers Amendment No. 3 which is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Barker, Barnes, Beall, Beam, Berry, Bowen, Brannan, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Clark, Coble, Cochrane, Cook, J. W. Crawford, N. J. Crawford, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Lacey, Lambeth, Lancaster, Lee, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 103.

Voting in the negative: Representatives Ballance and Lilley — 2.

Excused absences: Representatives Burnley, Kennedy, and Rhodes — 3.

H. B. 1285, A BILL TO BE ENTITLED AN ACT TO PLACE IN THE ADMINISTRATIVE OFFICE OF THE COURTS THE AUTHORITY TO ADOPT REGULATIONS GOVERNING THE INDIGENT DEFENSE PROGRAM.

The bill, as amended, passes its third reading, by electronic vote (81-13), and is ordered engrossed and sent to the Senate.

Committee Substitute for H. B. 130, A BILL TO BE ENTITLED AN ACT AUTHORIZING A REFUND OF THE EXCISE TAX LEVIED ON SACRAMENTAL WINE.

On motion of Representative Holt, consideration of the bill is postponed until July 1, 1983.

H. B. 1207, A BILL TO BE ENTITLED AN ACT TO EXEMPT COIN-OPERATED LAUNDRIES FROM SALES TAX.

Representative Roberts calls the previous question on the passage of the bill.

Representative Adams moves that the call for the previous question be postponed indefinitely. This motion carries by electronic vote (74-26).

On motion of Representative Adams, the bill is ordered engrossed and re-referred to the Committee on Finance by electronic vote (65-36).

Committee Substitute for H. B. 1331, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS TECHNICAL AMENDMENTS TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

Representative Clark offers Amendment No. 1 which is adopted.

Representative Wright offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (91-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 1318, A BILL TO BE ENTITLED AN ACT TO AMEND THE MEMBERSHIP COMPOSITION OF THE GOVERNOR'S WASTE MANAGEMENT BOARD.

On motion of Representative B. Woodard, consideration of the bill is postponed until July 5, 1983.

Committee Substitute for H. B. 385, A BILL TO BE ENTITLED AN ACT AUTHORIZING A COURT TO ORDER PROCUREMENT OF A PROPER LICENSE, passes its second reading, by electronic vote (88-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 1332, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT A PERSON ORDERED TO ATTEND D.W.I. SCHOOL SHALL ATTEND THE SCHOOL IN THE COUNTY OF RESIDENCE UNLESS EXTENUATING CIRCUMSTANCES EXIST, passes its second reading, by electronic vote (88-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Representative Slaughter sends forth the following Conference Report and moves its adoption:

CONFERENCE REPORT

June 30, 1983

TO: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, the Conferees appointed to consider and resolve the difference between the two bodies with respect to Committee Substitute for H. B. 503, A BILL TO BE ENTITLED AN ACT SETTING THE DATE FOR VALUATION OF PROPERTY DIVIDED UNDER EQUITABLE DISTRIBUTION, respectfully report that we have conferred and agreed as follows:

1. The Senate recedes from its Amendment #1.
2. Line 14 of page 1 is rewritten as follows:
"Sec. 2. This act is effective on August 1, 1983, and"

And, to this end, we the said Conferees, recommend that the House of Representatives and the Senate adopt this Conference Report.

This the 30th day of June, 1983.

Conferees for the Senate
S/ Cecil Jenkins
S/ Robert Swain
S/ Henson Barnes
S/ Conrad Duncan
S/ Helen Marvin

Conferees for the House of Representatives
S/ Robert L. Slaughter
S/ M. P. Pool
S/ Martin Nesbitt
S/ Joe Hackney
S/ George W. Miller, Jr.

The Conference Report is adopted, by electronic vote (91-0), and the bill is ordered enrolled and the Senate is so notified.

CALENDAR (continued)

H. B. 1319, A BILL TO BE ENTITLED AN ACT TO MAKE CERTAIN CHANGES TO VARIOUS CONSUMER PROTECTION STATUTES, passes its second reading, by electronic vote (98-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S. B. 607, A BILL TO BE ENTITLED AN ACT TO ENSURE EQUAL TREATMENT OF UNEMPLOYED INDIVIDUALS WHO ARE MEMBERS OF NATIONAL GUARD UNITS AND UNEMPLOYED INDIVIDUALS WHO ARE MEMBERS OF UNITED STATES ARMED FORCES RESERVE COMPONENTS.

Representative Brawley requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill passes its second reading, by electronic vote (99-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 621, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 85B, RELATING TO AUCTIONS AND AUCTIONEERS.

On motion of Representative Church, consideration of the bill is postponed until July 5, 1983.

Committee Substitute for S. B. 346, A BILL TO BE ENTITLED AN ACT TO PERMIT ACTIVE MEMBERS OF THE ARMED SERVICES AND THEIR DEPENDENTS TO BE ELIGIBLE FOR IN-STATE TUITION AT STATE COMMUNITY COLLEGES, TECHNICAL INSTITUTIONS AND THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA.

On motion of the Chair, the bill is re-referred to the Committee on Appropriations.

Committee Substitute for S. B. 251, A BILL TO BE ENTITLED AN ACT TO PERMIT COUNTY COMMISSIONERS TO ADOPT SUBSTANTIALLY EQUIVALENT POLICIES FOR PORTIONS OF THE STATE PERSONNEL ACT FOR COUNTY EMPLOYEES SUBJECT TO CHAPTER 126, passes its second reading, by electronic vote (90-3), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered enrolled.

S. B. 508, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATE TREASURER'S INVESTMENT AUTHORITY AND TO ENHANCE THE MANAGEMENT OF THE TRUST FUND INVESTMENT PROGRAM.

The bill, as amended, passes its second reading, by electronic vote (92-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
June 30, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the Senate fails to concur in House Amendments Nos. 1, 2, and 3 to Senate Committee Substitute for S. B. 209, A BILL TO BE ENTITLED AN ACT TO AMEND THE MOTOR VEHICLE LAWS IN CHAPTER 20 OF THE GENERAL STATUTES TO CONFORM TRUCK WEIGHTS ON STATE HIGHWAYS TO THE FEDERAL BRIDGE FORMULA AND TO UPDATE THE STATUTE BY MAKING OTHER CHANGES, and requests conferees.

The President appoints Senators Harrington, Jordan and Duncan on the part of the Senate to confer with a like committee appointed by the House to the end that the differences arising may be adjusted.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

The Speaker announces the appointment of the following conferees on Senate Committee Substitute for S. B. 209: Representatives Bumgardner, Chairman; Wicker, and Mavretic and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE

The following Special Messages are received from the Senate:

Committee Substitute No. 2 for S. B. 537, A BILL TO BE ENTITLED AN ACT TO INCLUDE VESTED PENSION OR RETIREMENT RIGHTS IN MARITAL PROPERTY FOR PURPOSES OF EQUITABLE DISTRIBUTION, is read the first time and is referred to the Committee on Pensions and Retirement.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 502, AN ACT TO AMEND G. S. 105-275 CONCERNING EXCLUSIONS FROM THE PROPERTY TAX BASE FOR POLLUTION CONTROL PURPOSES.

H. B. 906, AN ACT TO SET AN EARLIER FILING DEADLINE FOR CITIES THAT USE THE NONPARTISAN PLURALITY METHOD OF ELECTION.

H. B. 911, AN ACT TO PROVIDE THAT THE APPLICABLE COURT SHALL MAKE THE DIVISION OF THE SETTLEMENT OF JUDGMENT COSTS AMONG JOINT TORTFEASORS IN ACTIONS BROUGHT UNDER THE WORKERS' COMPENSATION ACT WHEN THEY CANNOT AGREE AND PROVIDING FOR LIMITATIONS OF ITS APPLICABILITY.

H. B. 918, AN ACT TO MAKE INJURING LAW ENFORCEMENT AGENCY ANIMALS A GENERAL MISDEMEANOR.

H. B. 1206, AN ACT PERTAINING TO THE USE OF SCHOOL BUSES IN BRUNSWICK COUNTY.

H. B. 1227, AN ACT TO AUTHORIZE CITY AND COUNTY CLERKS TO ADMINISTER OATHS OF OFFICE.

H. B. 1241, AN ACT TO PROVIDE THAT WHEN A VACANCY OCCURS IN THE OFFICE OF SHERIFF OF RICHMOND COUNTY, THE CLERK OF THE SUPERIOR COURT SHALL APPOINT A PERSON AS SHERIFF FROM THE SAME POLITICAL PARTY AS HIS PREDECESSOR.

H. B. 1139, AN ACT SETTING THE DISTRIBUTION OF PROFITS FROM THE SALES OF BEER AND WINE IN TOWNSHIPS.

H. B. 1199, AN ACT TO CLARIFY THE POSITION OF COUNTY COMMISSIONERS SERVING ON OTHER BOARDS WHOSE MEMBERS ARE APPOINTED BY THE BOARD OF COUNTY COMMISSIONERS.

S. B. 308, AN ACT TO ESTABLISH A NORTH CAROLINA ENERGY DEVELOPMENT AUTHORITY.

S. B. 318, AN ACT TO CHANGE THE PUNISHMENT FOR CERTAIN FELONIES.

S. B. 599, AN ACT TO ALLOW COMMUNITY WATER SYSTEMS THE SAME EXEMPTION FROM BOILER REGULATIONS AS NOW AVAILABLE TO PRIVATE RESIDENCES AND SMALL APARTMENT HOUSES FOR THEIR HYDROPNEUMATIC PRESSURE TANKS.

S. B. 649, AN ACT TO AUTHORIZE THE DIRECTOR OF THE BUDGET TO CONTINUE EXPENDITURES FOR THE OPERATION OF GOVERNMENT AT THE LEVEL IN EFFECT ON JUNE 30, 1983.

The Speaker recognizes Representative Cook for brief remarks.

On motion of Representative Bruce Ethridge, Representative Cook's remarks are included in the Appendix.

On motion of Representative Hunt, seconded by Representative Beard, the House adjourns to reconvene July 1, 1983 at 10:00 a.m.

ONE HUNDRED TWENTY-THIRD DAY

HOUSE OF REPRESENTATIVES
Friday, July 1, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Womble.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of June 30 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Kennedy, Rhodes, and Thomas for today.

On July 1, 1983, Governor James B. Hunt, Jr. issued the following commission to J. Ray Sparrow as a Member of the House of Representatives to succeed Ruth Cook.

July 1, 1983

WHEREAS, the Honorable Ruth E. Cook, elected Representative of the 21st House District, 1983 General Assembly, has now resigned, and

WHEREAS, the provision of General Statutes 163-11 requires that the vacancy created by the resignation of the Honorable Ruth E. Cook be filled by appointment of the person selected by the District Executive Committee of the Democratic Party of the 21st House of Representatives District, and

WHEREAS, the Executive Committee of the Democratic Party of the 21st House District has notified me of the selection of J. Ray Sparrow, Cary, North Carolina, to fill said vacancy,

I do by these presents appoint
J. RAY SPARROW
as a member of the
HOUSE OF REPRESENTATIVES
1983 General Assembly

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State at the Capitol in the City of Raleigh, this first day of July in the year of our Lord, one thousand nine hundred eighty-three.

S/ JAMES B. HUNT, JR.
Governor of North Carolina

Mr. Ray Sparrow takes and subscribes to the following oath of office administered by the Honorable Thad Eure, Secretary of State.

"I, J. RAY SPARROW, do solemnly swear or affirm that I will support the Constitution and laws of the United States; and,

"I do solemnly and sincerely swear or affirm that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain, and defend the Constitution of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and,

"I do solemnly swear or affirm that I will faithfully discharge my duties as a Member of the 1983 House of Representatives of the General Assembly of the State of North Carolina, to the best of my skill and ability, so help me, God."

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative McAlister for the Committee on Water and Air Resources:

H. B. 322, A BILL TO BE ENTITLED AN ACT FINDING AND DECLARING THAT THE STATE SHALL MONITOR AND SUPERVISE IMPLEMENTATION OF SOLID WASTE MANAGEMENT PLANS; FINDING AND DECLARING THAT NO CITY, COUNTY, PERSON OR OTHER ENTITY SHALL COMPETE WITH A SOLID WASTE MANAGEMENT PLAN FOR SPECIFIED GEOGRAPHIC AREAS; AUTHORIZING THE DEPARTMENT OF HUMAN RESOURCES TO DESIGNATE GEOGRAPHIC AREAS WITHIN WHICH A SOLID WASTE MANAGEMENT PLAN WILL PROVIDE FOR THE COLLECTION, TRANSPORTATION, STORAGE AND DISPOSAL OF SOLID WASTE; AND REQUIRING WASTE GENERATED WITHIN SAID AREAS TO BE PROCESSED, TREATED AND DISPOSED

OF AT PERMITTED SOLID WASTE MANAGEMENT FACILITIES, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title, and recommendation that the substitute bill be re-referred to the Committee on Finance.

The substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Lambeth for the Committee on Wildlife Resources:

H. B. 612, A BILL TO BE ENTITLED AN ACT TO REVISE THE STATUTES RELATING TO THE GAME COMMISSION OF CURRITUCK COUNTY, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for July 5, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Brannan for the Committee on Housing:

Committee Substitute for S. B. 387, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 1 OF CHAPTER 87 OF THE GENERAL STATUTES AS THE SAME RELATES TO BUILDERS OF RESIDENTIAL HOUSING, with a favorable report, as amended.

By Representative Lutz for the Committee on Local Government No. 2:

H. B. 1342, A BILL TO BE ENTITLED AN ACT TO LIMIT THE USE OF CENTER-FIRE RIFLES IN HARNETT COUNTY, with a favorable report.

H. B. 1371, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN HOUSING AUTHORITIES TO ENGAGE IN MODERATE INCOME HOUSING, with a favorable report.

By Representative Hunt for the Committee on Rules and Operation of the House:

S. J. R. 655, A JOINT RESOLUTION TO CHANGE THE DATE OF NOMINATION AND ELECTION OF THE UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS, with a favorable report.

On motion of Representative Hunt, the rules are suspended and the resolution is placed before the House for immediate consideration.

The resolution passes its second reading, by electronic vote (98-2), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

By Representative Rabon for the Committee on Manufacturers and Labor:

S. B. 544, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN RELIGIOUS, NONPROFIT CONFERENCE CENTERS FROM THE COVERAGE OF THE WAGE AND HOUR LAWS, with an unfavorable report as to bill, favorable as to House committe substitute bill.

The House committee substitute bill is placed on the Calendar for July 5, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Wicker for the Committee on Law Enforcement:

Committee Substitute for S. B. 147, A BILL TO BE ENTITLED AN ACT RELATING TO THE LAW ENFORCEMENT AUTHORITY OF WILDLIFE PROTECTORS, with a favorable report.

By Representative Nesbitt for the Committee on Small Business:

Committee Substitute for S. B. 424, A BILL TO BE ENTITLED AN ACT RELATING TO THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW, with an unfavorable report as to Senate committee substitute bill, favorable as to House committee substitute bill.

The House committee substitute bill is placed on the Calendar for July 5, 1983. The Senate committee substitute bill is placed on the Unfavorable Calendar.

SUSPENSION OF RULES TO INTRODUCE LOCAL BILL

On motion of Representative C. Hughes, Rule 31.1 is suspended by a two-thirds majority vote in order for a local bill to be filed.

On motion of Representative Fenner, Rule 31.1 is suspended by a two-thirds majority vote in order for a local bill to be filed.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

On motion of Representative Watkins, the rules are suspended and the following is read the first time.

By Representatives Watkins, Church, and J. W. Crawford:

H. B. 1388, A BILL TO BE ENTITLED AN ACT TO PERMIT THE COUNTY OF PERSON TO ENGAGE IN CERTAIN COMMUNITY DEVELOPMENT ACTIVITIES.

On motion of Representative Watkins, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

By Representative Diamont:

H. J. R. 1389, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE ISSUE OF WASTE OIL DISPOSAL IN THE STATE OF NORTH CAROLINA, is referred to the Committee on Rules and Operation of the House.

By Representative Adams:

H. B. 1390, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF JUSTICE TO IMPLEMENT AN INFORMATION PROCESSING SYSTEM FOR CAPITAL CASES AND OTHER CRIMINAL APPEALS, is referred to the Committee on Appropriations.

By Representatives Barbee, Fenner, Matthews, and Mavretic:

H. B. 1391, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR

A TECHNICAL TRAINING BUILDING AT NASH TECHNICAL INSTITUTE, is referred to the Committee on Appropriations.

By Representative Miller:

H. B. 1392, A BILL TO BE ENTITLED AN ACT TO AMEND THE SAFE ROADS ACT TO PROVIDE IMMUNITY FOR INJURY TO A DEFENDANT PERFORMING COMMUNITY SERVICE, is referred to the Committee on Judiciary No. 3.

By Representatives Nesbitt, Colton, N. J. Crawford, and Greenwood:

H. B. 1394, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN FORECLOSURE SALES, is referred to the Committee on Judiciary No. 1.

By Representative Auman:

H. B. 1395, A BILL TO BE ENTITLED AN ACT TO PERMIT CERTAIN GRANTS OF CERTIFICATES OF NEED, is referred to the Committee on Human Resources.

By Representative Rabon (by request):

H. B. 1396, A BILL TO BE ENTITLED AN ACT TO DESIGNATE THE SONG "DON'T SPEED THAT CAR" AS THE OFFICIAL STATE HIGHWAY SAFETY SONG, is referred to the Committee on Rules and Operation of the House.

By Representatives Adams, Blue, Cook, Fussell, Musselwhite, and Stamey:

H. B. 1397, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ASSIST IN THE ADAPTIVE RESTORATION OF ESTEY HALL IN WAKE COUNTY, is referred to the Committee on Appropriations.

By Representative Slaughter:

H. B. 1398, A BILL TO BE ENTITLED AN ACT TO REQUIRE AN APPLICANT FOR APPOINTMENT OF A RECEIVER TO FURNISH A BOND PAYABLE TO THE ADVERSE PARTY, is referred to the Committee on Judiciary No. 3.

On motion of Representative C. Hughes, the rules are suspended and the following is read the first time:

By Representatives C. Hughes, Colton, N. J. Crawford, Greenwood, and Nesbitt:

H. B. 1401, A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE HENDERSON COUNTY JAIL SHALL BE OPERATED AS PROVIDED BY GENERAL LAW.

On motion of Representative C. Hughes, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

On motion of Representative Fenner, the rules are suspended and the following is read the first time.

By Representatives Fenner, Barbee, Matthews, and Mavretic:

H. B. 1402, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF WILSON TO SELL INDUSTRIAL PROPERTY.

On motion of Representative Fenner, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

On motion of Representative Church, the rules are suspended and the following is read the first time:

By Representatives Church and James:

H. J. R. 1404, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY INTERSTATE WATER RESOURCES ISSUES INVOLVING THE STATES OF NORTH CAROLINA AND VIRGINIA.

On motion of Representative Church, the rules are suspended and the resolution is placed before the House for immediate consideration.

The resolution passes its second reading, by electronic vote (91-1), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute No. 2 for H. B. 544, A BILL TO BE ENTITLED AN ACT TO REQUIRE A LAW ENFORCEMENT OFFICER WHO ARRESTS OR ISSUES A CITATION TO AN UNEMANCIPATED MINOR TO INFORM THE MINOR'S PARENTS OF THE ARREST OR CITATION, is returned for concurrence in two Senate amendments and is placed on the Calendar for July 4, 1983.

H. B. 833, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN INTENSIVE PROBATION PROGRAM IN THE DIVISION OF ADULT PROBATION AND PAROLE, is returned for concurrence in Senate amendment and is placed on the Calendar for July 4, 1983.

Committee Substitute for H. B. 849, A BILL TO BE ENTITLED AN ACT TO PERMIT EDGECOMBE COUNTY TO SELL IMPOUNDED DOGS AND CATS TO REGISTERED INSTITUTIONS, is returned for concurrence in Senate amendment and is placed on the Calendar for July 4, 1983.

S. B. 634, A BILL TO BE ENTITLED AN ACT REGARDING CONTINUANCE OF FORECLOSURE HEARINGS WHEN ALL PARTIES HAVE NOT BEEN PROPERLY SERVED, is read the first time and is referred to the Committee on Rules and Operation of the House.

CALENDAR

Action is taken on the following:

H. B. 1387, A BILL TO BE ENTITLED AN ACT TO PREVENT DRIFT HUNTING ON SWIFT CREEK IN EDGECOMBE COUNTY.

On motion of Representative Mavretic, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Committee Substitute for H. B. 489, A BILL TO BE ENTITLED AN ACT TO DEFINE THE CONDITIONS UNDER WHICH CERTAIN BINGO GAMES AND RAFFLES ARE LAWFUL.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Barbee, Barker, Barnes, Beall, Beam, Beard, Black, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, J. W. Crawford, N. J. Crawford, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fletcher, Foster, Fulcher, Fussell, Gentry, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holmes, Hudson, C. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Keesee, Lacey, Lambeth, Lancaster, Lee, Locks, Lutz, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Robinson, Seymour, Spaulding, Spoon, Stamey, Tennille, Tyndall, Tyson, Varner, Wicker, Womble, B. Woodard, and Wright — 92.

Voting in the negative: Representatives Ballance and Lilley — 2.

Excused absences: Representatives Gillam, Kennedy, Rhodes, and Thomas — 4.

House Committee Substitute for S. B. 141, A BILL TO BE ENTITLED AN ACT TO REWRITE THE PUBLIC HEALTH LAWS.

Representative B. Woodard moves that the vote by which the bill passed its second reading be reconsidered.

Representative B. Woodard calls the previous question on the motion and the call is sustained.

The motion to reconsider the vote by which the bill passed its second reading carries by electronic vote (63-45).

Representative B. Woodard moves that the vote by which Amendment No. 9 was adopted be reconsidered.

Representative B. Woodard calls the previous question on the motion and the call is sustained.

The motion to reconsider the vote by which Amendment No. 9 was adopted carries by electronic vote (69-38).

Now the question before the House is the adoption of Amendment No. 9.

Representative Hackney calls the previous question on the amendment and the call is sustained.

Amendment No. 9 is adopted by electronic vote (84-24).

Representative Blue offers Amendment No. 11 which is adopted.

Representative Bob Etheridge offers Amendment No. 12 which is adopted.

Representative Mavretic offers Amendment No. 13.

On motion of Representative B. Woodard, seconded by Representative Barker, Amendment No. 13 is tabled by electronic vote (55-46).

Representative B. Woodard calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Coble, Cochrane, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Keesee, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Robinson, Seymour, Slaughter, Sparrow, Spaulding, Spoon, Stamey, Tennille, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 105.

Voting in the negative: Representative J. Hughes.

Excused absences: Representatives N. J. Crawford, Gillam, Kennedy, Rhodes, and Thomas — 5.

Committee Substitute for H. B. 785, A BILL TO BE ENTITLED AN ACT TO BE KNOWN AS THE NORTH CAROLINA TIME SHARE ACT AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Cochrane, Colton, J. W. Crawford, Creecy, DeVane, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Fletcher, Foster, Fussell, Gentry, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jones, Jordan, Keesee, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, McAlister, McDowell, Mauney, Mavretic, Musselwhite, Nesbitt, Owens, Payne, Poovey, Quinn, Rabon, Redding, Roberts, Robinson, Seymour, Slaughter, Sparrow, Spaulding, Spoon, Stamey, Tennille, Tyson, Varner, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 93.

Voting in the negative: None.

Excused absences: Representatives N. J. Crawford, Gillam, Kennedy, Rhodes, and Thomas — 5.

Committee Substitute for H.B. 130, A BILL TO BE ENTITLED AN ACT AUTHORIZING A REFUND OF THE EXCISE TAX LEVIED ON SACRAMENTAL WINE, passes its third reading, by electronic vote (90-0), and is ordered sent to the Senate.

H. B. 1266, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN TRAILER CONVERTERS FROM THE MOTOR VEHICLE REGISTRATION REQUIREMENTS, passes its third reading, by electronic vote (83-10), and is ordered sent to the Senate.

Committee Substitute for H. B. 179, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 50 OF THE GENERAL STATUTES TO ESTABLISH PROCEDURES TO INSURE PAYMENT OF CHILD SUPPORT.

On motion of Representative Hackney, consideration of the bill is postponed until July 6, 1983.

Committee Substitute for H. B. 1326, A BILL TO BE ENTITLED AN ACT TO ALLOW A LIMITED DRIVING PRIVILEGE UPON CONVICTION OF SPEEDING VIOLATIONS, passes its second reading, by electronic vote (86-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 1356, A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIME OF ABUSING OR EXPLOITING A DISABLED ADULT.

On motion of Representative Beall, the bill is re-referred to the Committee on Judiciary No. 2.

H. B. 1368, A BILL TO BE ENTITLED AN ACT TO ALLOW FIVE ACRE HORTICULTURAL TRACTS TO QUALIFY FOR USE VALUATION, passes its second reading, by electronic vote (94-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 1347, A BILL TO BE ENTITLED AN ACT TO CLARIFY REQUIREMENTS FOR BARBERS LICENSED IN OTHER STATES SEEKING LICENSURE IN NORTH CAROLINA, passes its seond reading, by electronic vote (96-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. J. R. 1321, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY BOARDS, COMMISSIONS, AND COUNCILS IN THE EXECUTIVE BRANCH, passes its second reading, by electronic vote (95-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. J. R. 1334, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE FEASIBILITY OF A FOOD DISTRIBUTION FACILITY ON THE DIX FARM PROPERTY IN RALEIGH, passes its second reading, by electronic vote (90-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. J. R. 1360, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JOHN COLTRANE.

On motion of Representative Ballance, consideration of the bill is postponed until July 4, 1983.

H. B. 1367, A BILL TO BE ENTITLED AN ACT TO CORRECT A TECHNICAL

CONFLICT BETWEEN CHAPTER 567 AND CHAPTER 561 OF THE SESSION LAWS OF 1983, passes its second reading, by electronic vote (88-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 1306, A BILL TO BE ENTITLED AN ACT TO PERMIT PAYMENT OF DIVIDENDS FOR EMPLOYER GROUPS, passes its second reading, by electronic vote (88-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

House Committee Substitute for S. B. 504, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE VENUE FOR THE TRIAL OF FELONY OFFENSES COMMITTED WITHIN THE CORPORATE LIMITS OF A MUNICIPALITY WHICH LIES WITHIN MORE THAN ONE COUNTY, passes its second reading, by electronic vote (92-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Representative Hunt presiding.

S. B. 602, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 147 OF THE GENERAL STATUTES TO ALLOW FOR THE PAYROLL DEDUCTION BY A DEPARTMENT OF TRANSPORTATION EMPLOYEE REQUIRED BY FEDERAL AND STATE LAW TO WEAR DAY-GLO ORANGE SHIRTS OR VESTS OF THE COST OF UNIFORM RENTAL AND INSURANCE PREMIUMS, passes its second reading, by electronic vote (77-5), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 636, A BILL TO BE ENTITLED AN ACT TO REPEAL CERTAIN OBSOLETE DEPARTMENT OF TRANSPORTATION STATUTES, passes its second reading by electronic vote (83-0).

Representative Pulley objects to the third reading. The bill remains on the Calendar.

S. J. R. 409, A JOINT RESOLUTION HONORING THE BRAVE LIFE OF ANTHONY CLYDE CORN, passes its second reading, by electronic vote (81-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. J. R. 585, A JOINT RESOLUTION RECOGNIZING AND CLARIFYING THE POLICY OF THIS STATE TO AFFORD THE OPPORTUNITY FOR MENTALLY AND DEVELOPMENTALLY DISABLED PERSONS FOR ADEQUATE COMMUNITY SUPPORT SERVICES.

On motion of Representative Hunt, consideration of the bill is postponed until July 5, 1983.

The Speaker presiding.

S. B. 473, A BILL TO BE ENTITLED AN ACT TO MAKE SHOPPING CART THEFT UNLAWFUL, passes its second reading by electronic vote (83-10).

Representative Gentry objects to the third reading. The bill remains on the Calendar.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 1, 1983

Mr. Speaker:

Pursuant to your message that the House of Representatives fails to concur in Senate Committee Substitute for House Committee Substitute for H. B. 1221, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN LIMITED PARTNERSHIP DEBT OBLIGATIONS FROM THE APPLICATION OF THE STATE'S INTEREST LAWS, and requests conferees, the President appoints Senators Jim Edwards, Tison, and Lawing on the part of the Senate to confer with a like committee on the part of the House to the end that the differences between the two Bodies may be resolved.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

On motion of Representative Nesbitt, H. B. 1394, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN FORECLOSURE SALES, is withdrawn from the Committee on Judiciary No. 1 and is re-referred to the Committee on Judiciary No. 2.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. B. 603, AN ACT TO ESTABLISH A SINGLE LEGAL AGE FOR INITIAL ENTRY INTO THE PUBLIC SCHOOL SYSTEM IN NORTH CAROLINA.

H. B. 800, AN ACT TO AMEND CHAPTER 65 RELATING TO FUNERAL AND BURIAL TRUST FUNDS.

H. B. 395, AN ACT TO INCORPORATE THE TOWN OF DOBBINS HEIGHTS IN RICHMOND COUNTY.

H. B. 620, AN ACT TO REVISE AND CONSOLIDATE THE CHARTER OF THE CITY OF SOUTHPORT AND TO REPEAL PRIOR LOCAL ACTS.

H. B. 1249, AN ACT TO INCLUDE TWO SATELLITE AREAS WITHIN THE CORPORATE LIMITS OF THE TOWN OF BAKERSVILLE.

H. B. 924, AN ACT TO AMEND G. S. 58-79(a)(12) REGARDING LIFE INSURANCE COMPANY INVESTMENTS IN COMPUTER SYSTEMS.

H. B. 926, AN ACT TO AMEND G. S. 58-40(a) RELATING TO THE LICENSING OF LIFE INSURANCE AGENTS.

H. B. 955, AN ACT TO ALLOW TAXPAYERS TO ELECT TO APPLY ANY INCOME TAX REFUND OWED THEM TO THEIR ESTIMATED INCOME TAX LIABILITY FOR THE FOLLOWING YEAR.

H. B. 1009, AN ACT TO AMEND G. S. 58-79(a) PERTAINING TO LIFE INSURANCE COMPANY INVESTMENTS IN FUTURES CONTRACTS.

H. B. 1016, AN ACT TO AMEND THE SUBPOENA LAW RELATING TO MEDICAL RECORDS.

H. B. 1160, AN ACT TO MAKE THE EMPLOYEES OF THE AGENCY FOR PUBLIC TELECOMMUNICATIONS SUBJECT TO THE STATE PERSONNEL ACT.

H. B. 1273, AN ACT TO ABOLISH THE EARTH RESOURCES COUNCIL.

S. B. 479, AN ACT TO CLARIFY A PROVISION IN THE GROUP HEALTH INSURANCE CONTINUATION AND CONVERSION PRIVILEGES LAW.

H. B. 58, AN ACT TO AMEND THE GROUP HEALTH INSURANCE CONTINUATION AND CONVERSION PRIVILEGES LAW WITH REGARD TO CONVERSION POLICY RATE FILINGS.

H. B. 343, AN ACT TO REVISE PORTIONS OF CHAPTER 162 RELATING TO SHERIFFS.

H. B. 503, AN ACT SETTING THE DATE FOR VALUATION OF PROPERTY DIVIDED UNDER EQUITABLE DISTRIBUTION.

H. B. 937, AN ACT TO ESTABLISH A UNIFORM EVICTION POLICY.

S. B. 238, AN ACT TO CREATE THE PRIVATE PROTECTIVE SERVICES RECOVERY FUND.

S. B. 251, AN ACT TO PERMIT COUNTY COMMISSIONERS TO ADOPT SUBSTANTIALLY EQUIVALENT POLICIES FOR PORTIONS OF THE STATE PERSONNEL ACT FOR COUNTY EMPLOYEES SUBJECT TO CHAPTER 126.

S. B. 607, AN ACT TO ENSURE EQUAL TREATMENT OF UNEMPLOYED INDIVIDUALS WHO ARE MEMBERS OF NATIONAL GUARD UNITS AND UNEMPLOYED INDIVIDUALS WHO ARE MEMBERS OF UNITED STATES ARMED FORCES RESERVE COMPONENTS.

S. J. R. 655, A JOINT RESOLUTION TO CHANGE THE DATE OF NOMINATION AND ELECTION OF THE UNIVERSITY OF NORTH CAROLINA BOARD OF GOVERNORS.

On motion of Representative Hunt, seconded by Representative Helms, the House adjourns to reconvene Monday, July 4, 1983 at 8:00 p.m.

ONE HUNDRED TWENTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Monday, July 4, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Foster.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of July 1 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Beard, Hunter, Rabon, Rhodes, Robinson, and Thomas for tonight.

The Speaker announces that Representative Sparrow is assigned to the following committees: Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Human Resources, Appropriations Expansion Budget Committee on Human Resources, Banks and Thrift Institutions, Cultural Resources, Economy, Employment Security, Energy, Housing, Judiciary No. 1, and Mental Health.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Gentry for the Committee on Election Laws:

Committee Substitute for S. B. 157, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE HIGH SCHOOL EMPLOYEES DESIGNATED BY THE SCHOOL BOARD AND APPOINTED BY THE COUNTY BOARD OF ELECTIONS TO REGISTER VOTERS, with a favorable report.

Committee Substitute for S. B. 506, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE ROLE OF POLITICAL PARTIES IN ELECTION FINANCING, with a favorable report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative McAlister:

H. B. 1399, A BILL TO BE ENTITLED AN ACT TO MINIMIZE THE LEGAL LIABILITY OF GOOD SAMARITANS ASSISTING IN PREVENTING OR CLEANING UP DISCHARGES OF HAZARDOUS MATERIALS, is referred to the Committee on Water and Air Resources.

By Representatives Fussell, Adams, Beall, Blue, Brown, Brubaker, Burnley, Childress, Coble, Colton, Cook, N. J. Crawford, Economos, Edwards, Enloe, Bruce Ethridge, Foster, Fulcher, Greenwood, Hauser, Helms, Jeralds, Jordan, Keesee, Kennedy, Lacey, Lambeth, McDowell, Musselwhite, Nesbitt, Owens, Payne, Stamey, Tennille, Tyndall, and Womble:

H. B. 1400, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROVISIONS OF THE FAIR EMPLOYMENT AND DISMISSAL ACT, is referred to the Committee on Education.

By Representative Seymour:

H. B. 1403, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTERS 58 AND 66 OF THE GENERAL STATUTES TO ALLOW FOR LIMITED LICENSING OF MOTOR CLUB SALES AGENTS TO PROVIDE INSURANCE, is referred to the Committee on Insurance.

By Representative Helms:

H. B. 1405, A BILL TO BE ENTITLED AN ACT TO ALLOW A COURT TO REFORM INTERESTS IN PROPERTY THAT VIOLATE THE RULE AGAINST PERPETUITIES, is referred to the Committee on Judiciary No. 1.

MESSAGES FROM THE SENATE

The following are received from the Senate.

H. B. 925, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 58-43 RELATING TO NONRESIDENT AGENTS, is returned for concurrence in Senate amendment and is placed on the Calendar for July 5, 1983.

Senate Committee Substitute for H. B. 1116, A BILL TO BE ENTITLED AN ACT TO REQUIRE STATE AGENCIES AND POLITICAL SUBDIVISIONS TO COOPERATE IN EFFORTS TO PROMOTE THE USE OF SMALL, MINORITY AND WOMEN CONTRACTORS IN PUBLIC CONSTRUCTION AND PURCHASING CONTRACTS, is returned for concurrence in Senate committee substitute and is referred to the Committee on State Government.

Committee Substitute for H. B. 1173, A BILL TO BE ENTITLED AN ACT TO MODIFY THE BURDEN OF PROOF AND PUNISHMENT FOR ALLOWING PRISONERS TO ESCAPE, is returned for concurrence in Senate amendment and is placed on the Calendar for July 5, 1983.

H. B. 1215, A BILL TO BE ENTITLED AN ACT TO CLASSIFY METHAQUALONE AS A SCHEDULE I CONTROLLED SUBSTANCE, is returned for concurrence in Senate amendment and is placed on the Calendar for July 5, 1983.

H. B. 1237, A BILL TO BE ENTITLED AN ACT TO RESTORE THE 1975 LAW OF TERMINATION OF EMPLOYMENT OF A COUNTY SUPERVISOR OF ELECTIONS, is returned for concurrence in Senate amendment and is placed on the Calendar for July 5, 1983.

H. B. 1260, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CONFORMING CHANGES IN THE RAPE INDICTMENT STATUTE AS A RESULT OF CHAPTER 175 OF THE SESSION LAWS OF 1983, is returned for concurrence in Senate amendment and is placed on the Calendar for July 5, 1983.

S. B. 638, A BILL TO BE ENTITLED AN ACT TO MAKE A TECHNICAL AMENDMENT TO CHAPTER 23 OF THE 1983 SESSION LAWS TO AUTHORIZE THE DEPARTMENT OF HUMAN RESOURCES TO FIX PAYMENTS FOR SERVICES RENDERED TO THE PUBLIC, is read the first time and is referred to the Committee on Rules and Operation of the House.

CALENDAR

Action is taken on the following:

Committee Substitute for H. B. 849, A BILL TO BE ENTITLED AN ACT TO PERMIT EDGECOMBE COUNTY TO SELL IMPOUNDED DOGS AND CATS TO REGISTERED INSTITUTIONS.

On motion of Representative Mavretic, the House concurs in the Senate amendment and the bill is ordered enrolled.

Committee Substitute for H. B. 544, A BILL TO BE ENTITLED AN ACT TO REQUIRE A LAW ENFORCEMENT OFFICER WHO ARRESTS OR ISSUES A CITATION TO AN UNEMANCIPATED MINOR TO INFORM THE MINOR'S PARENTS OF THE ARREST OR CITATION.

On motion of Representative Fussell, the House concurs in two Senate amendments and the bill is ordered enrolled.

H. B. 833, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN INTENSIVE PROBATION PROGRAM IN THE DIVISION OF ADULT PROBATION AND PAROLE.

On motion of Representative Hackney, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 1342, A BILL TO BE ENTITLED AN ACT TO LIMIT THE USE OF CENTER-FIRE RIFLES IN HARNETT COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 785, A BILL TO BE ENTITLED AN ACT TO BE KNOWN AS THE NORTH CAROLINA TIME SHARE ACT AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its third reading, by the following vote, and is ordered sent to the Senate.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Poovey, Pulley, Quinn, Redding, Roberts, Seymour, Slaughter, Sparrow, Spaulding, Stamey, Tennille, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 103.

Voting in the negative: None.

Excused absences: Representatives Beard, Hunter, Rabon, Rhodes, Robinson, and Thomas — 6.

House Committee Substitute for S. B. 141, A BILL TO BE ENTITLED AN ACT TO REWRITE THE PUBLIC HEALTH LAWS.

Representative B. Woodard calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barker, Barnes, Beall, Beam, Berry, Black, Blue, Bowen, Brannan, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn,

Redding, Roberts, Seymour, Slaughter, Sparrow, Spaulding, Stamey, Tennille, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 105.

Voting in the negative: Representatives Brawley and Mavretic — 2.

Excused absences: Representatives Beard, Hunter, Rabon, Rhodes, Robinson, and Thomas — 6.

S. B. 636, A BILL TO BE ENTITLED AN ACT TO REPEAL CERTAIN OBSOLETE DEPARTMENT OF TRANSPORTATION STATUTES, passes its third reading, by electronic vote (106-0), and is ordered enrolled.

S. B. 473, A BILL TO BE ENTITLED AN ACT TO MAKE SHOPPING CART THEFT UNLAWFUL.

Representative Ballance offers Amendment No. 1 which is adopted by electronic vote (80-23).

The bill, as amended, passes its third reading, by electronic vote (101-3), and is ordered sent to the Senate for concurrence in House amendment.

Committee Substitute for H. B. 1295, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A SUNSET ON BOARDS OR COMMISSIONS CREATED BY EXECUTIVE ORDER OF THE GOVERNOR.

On motion of Representative Beam, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (101-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. J. R. 1360, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JOHN COLTRANE, passses its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 1272, A BILL TO BE ENTITLED AN ACT TO REQUIRE NOTIFICATION OF CLERKS OF COURT AND DISTRICT ATTORNEYS BY THE PAROLE COMMISSION IN ALL CASES WHERE THE COMMISSION BEGINS A PAROLE INVESTIGATION IN THE CASE OF A PRISONER SENTENCED TO EIGHTEEN MONTHS OR LONGER, passes its second reading, by electronic vote (94-11), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 1119, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTE RELATING TO PAYMENT AND PERFORMANCE BONDS FOR PUBLIC CONTRACTS.

On motion of Representative Payne, the bill is re-referred to the Committee on Judiciary No. 1.

H. B. 1371, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN HOUSING AUTHORITIES TO ENGAGE IN MODERATE INCOME HOUSING, passes its second reading, by electronic vote (96-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute House Joint Resolution for S. B. 113, A JOINT RESOLUTION URGING PUBLIC ACCESS FOR COROLLA AND THE CURRITUCK OUTER BANKS.

Representative Adams requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill passes its second reading, by electronic vote (96-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in committee substitute House joint resolution.

House Committee Substitute for Senate Committee Substitute for S. B. 184, A BILL TO BE ENTITLED AN ACT TO ALLOW INCLUSION OF CERTAIN JUVENILE RECORDS IN PRE-SENTENCE REPORTS.

On motion of Representative Pulley, the bill is re-referred to the Committee on Judiciary No. 4.

Committee Substitute for S. B. 387, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 1 OF CHAPTER 87 OF THE GENERAL STATUTES AS THE SAME RELATES TO BUILDERS OF RESIDENTIAL HOUSING.

Representatives C. Hughes, Brawley, and Sparrow request that they be excused from voting on this bill under Rule 24.1A and their requests are granted.

On motion of Representative Lancaster, Committee Amendment No. 1 is adopted.

On motion of Representative Lancaster, the bill is re-referred to the Committee on Judiciary No. 3 by electronic vote (57-44).

Committee Substitute for S. B. 147, A BILL TO BE ENTITLED AN ACT RELATING TO THE LAW ENFORCEMENT AUTHORITY OF WILDLIFE PROTECTORS, passes its second reading by electronic vote (98-3).

Representative Wicker objects to the third reading. The bill remains on the Calendar.

On motion of Representative Hunt, seconded by Representative Spaulding, the House adjourns to reconvene July 5, 1983 at 1:30 p.m.

ONE HUNDRED TWENTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, July 5, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Fussell.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of July 4 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Beard, Edwards, Huskins, Rhodes, Spoon, and Thomas for today.

The Speaker recognizes Representative Brown who moves that the rules be suspended to allow Miss Denean Graham, Miss North Carolina, to approach the Well of the House. Miss Graham delivers a brief statement regarding her responsibilities as the reigning Miss North Carolina.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Wright for the Committee on Judiciary No. 2:

Senate Committee Substitute for H. B. 545, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 25A OF THE GENERAL STATUTES TO CLARIFY THE DEFINITION OF "SALE" IN THE RETAIL INSTALLMENT SALES ACT, with recommendation that the House concur.

On motion of Representative Wright, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Wright, the House concurs in the Senate committee substitute, which changes the title, and the bill is ordered enrolled.

Committee Substitute No. 2 for H. B. 950, A BILL TO BE ENTITLED AN ACT TO PROHIBIT UNAUTHORIZED POSSESSION OF WEAPONS AND CERTAIN SUBSTANCES ON THE GROUNDS OF ANY MENTAL OR PENAL INSTITUTION, OR LOCAL CONFINEMENT FACILITY, with an indefinite postponement report.

Senate Committee Substitute for H. B. 1226, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE TIME WHEN MUNICIPAL ORDINANCES ARE INTRODUCED, with recommendation that the House concur.

On motion of Representative Wright, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Wright, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

H. B. 1330, A BILL TO BE ENTITLED AN ACT TO MAKE ISOLATED AMENDMENTS TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for July 7, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 1363, A BILL TO BE ENTITLED AN ACT TO ABOLISH CERTAIN COMMITTEES AND COMMISSIONS UNDER THE DEPARTMENT OF CULTURAL RESOURCES, with a favorable report, as amended.

H. B. 1366, A BILL TO BE ENTITLED AN ACT TO AMEND THE RULE REGARDING DEPOSITIONS UPON ORAL EXAMINATION, with a favorable report, as amended.

H. B. 1394, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN FORCLOSURE SALES, with a favorable report.

By Representative B. Woodard for the Committee on Health:

Senate Committee Substitute for House Committee Substitute for H. B. 767, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 90-108 TO PROHIBIT EMBEZZLEMENT OF CONTROLLED SUBSTANCES BY EMPLOYEES OF PRACTITIONERS AND REGISTRANTS, AND TO PROHIBIT "DOCTOR SHOPPING" AS A MEANS OF FRAUDULENTLY OBTAINING CONTROLLED SUBSTANCES FROM PRACTITIONERS, with recommendation that the House do not concur, and request conferees.

On motion of Representative B. Woodard, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative B. Woodard, the House does not concur in the Senate committee substitute and conferees are requested.

The Speaker announces the appointment of Representatives B. Woodard, Chairman; Lancaster, Blue, and Pulley as conferees and the Senate is so notified by Special Message.

By Representative Church for the Committee on State Government:

Senate Committee Substitute for H. B. 1116, A BILL TO BE ENTITLED AN ACT TO REQUIRE STATE AGENCIES AND POLITICAL SUBDIVISIONS TO COOPERATE IN EFFORTS TO PROMOTE THE USE OF SMALL, MINORITY AND WOMEN CONTRACTORS IN PUBLIC CONSTRUCTION AND PURCHASING CONTRACTS, with recommendation that the House concur.

On motion of Representative Church, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Fussell, the House concurs in the Senate committee substitute, which changes the title, and the bill is ordered enrolled.

H. B. 1379, A BILL TO BE ENTITLED AN ACT CREATING THE CRIMINAL CODE REVISION STUDY COMMITTEE, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

By Representative Quinn for the Committee on Finance:

Committee Substitute for H. B. 322, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DEPARTMENT OF HUMAN RESOURCES TO DESIGNATE GEOGRAPHIC AREAS WITHIN WHICH A SOLID WASTE MANAGEMENT PLAN WILL PROVIDE FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE; REQUIRING WASTE GENERATED WITHIN SAID AREAS TO BE DISPOSED OF AT PERMITTED SOLID WASTE MANAGMENT FACILITIES; AUTHORIZING CITIES AND COUNTIES TO EVALUATE PROPOSALS AND NEGOTIATE CONTRACTS ON THE BASIS OF FACTORS OTHER THAN PRICE ALONE; AND EXPANDING THE POWERS OF MUNICIPALITIES WITH RESPECT TO THE ISSUANCE OF REVENUE BONDS FOR SYSTEMS, FACILITIES AND EQUIPMENT FOR THE COLLECTION, TREATMENT OR DISPOSAL OF SOLID WASTE, with a favorable report.

On motion of Representative Musselwhite, the rules are suspended and the bill is placed on today's Calendar.

H. B. 659, A BILL TO BE ENTITLED AN ACT TO IMPROVE AND ENHANCE REQUIRED AND ADVANCED TRAINING FOR NORTH CAROLINA'S LAW ENFORCEMENT OFFICERS, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Appropriations.

On motion of Representative Wright, Committee Amendment No. 1 is adopted.

The bill is ordered engrossed and re-referred to the Committee on Appropriations.

H. B. 720, A BILL TO BE ENTITLED AN ACT TO AMEND THE NOTICE REQUIREMENTS OF G. S. 105-375, with an unfavorable report as to bill, favorable as to committee substitute bill.

The committee substitute bill is placed on the Calendar for July 7, 1983. The original bill is placed on the Unfavorable Calendar.

House Committee Substitute for S. B. 553, A BILL TO BE ENTITLED AN ACT SETTING STANDARDS FOR QUALIFICATION, TRAINING AND EXPERIENCE FOR PERSONS SEEKING TO REPRESENT THEMSELVES TO THE PUBLIC AS REGISTERED PRACTICING COUNSELORS: CREATING A STATE BOARD OF EXAMINERS FOR PRACTICING COUNSELORS: DEFINING THE FUNCTIONS AND DUTIES OF THAT BOARD: AND PROVIDING FOR PENALTIES, with a favorable report.

By Representative Foster for the Committee on Education:

H. B. 1353, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 115C-72 RELATING TO THE CONSOLIDATION OF DISTRICTS AND DISCONTINUANCE OF SCHOOLS, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for July 7, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 1400, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROVISIONS OF THE FAIR EMPLOYMENT AND DISMISSAL ACT, with a favorable report.

S. B. 384, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOCAL BOARDS OF EDUCATION IN AVERY AND WATAUGA COUNTIES TO SCHEDULE LONGER SCHOOL DAYS SO AS TO OFFSET DAYS LOST DUE TO INCLEMENT WEATHER, with a favorable report.

By Representative Mavretic for the Committee on Pensions and Retirement:

H. B. 1074, A BILL TO BE ENTITLED AN ACT TO ALLOW UNUSED SICK LEAVE TO BE COUNTED IN DETERMINING ELIGIBILITY FOR SERVICE RETIREMENT WITH THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM AND THE LAW ENFORCEMENT OFFICERS' BENEFIT AND RETIREMENT FUND AND TO MAKE AN APPROPRIATION, with a favorable report, as amended.

On motion of Representative Mavretic, Committee Amendment No. 1 is adopted.

On motion of Representative Mavretic, the bill is ordered engrossed and re-referred to the Committee on Appropriations.

H. B. 1302, A BILL TO BE ENTITLED AN ACT TO PERMIT CERTAIN EMPLOYEES OF THE CHARLOTTE FIRE DEPARTMENT TO PURCHASE CREDIT IN THE CHARLOTTE FIREMEN'S RETIREMENT SYSTEM FOR PRIOR SERVICE AS FIRE OFFICERS, with a favorable report.

S. B. 14, A BILL TO BE ENTITLED AN ACT TO ELIMINATE MANDATORY RETIREMENT AT AGE 70 FOR PERSONS COVERED UNDER THE STATE EMPLOYEES OR LOCAL GOVERNMENT EMPLOYEES RETIREMENT SYSTEM, with a favorable report, as amended.

S. B. 217, A BILL TO BE ENTITLED AN ACT TO PERMIT MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM TO PURCHASE CREDITABLE SERVICE FOR TEMPORARY STATE EMPLOYMENT BY PAYING AN AMOUNT EQUAL TO THE FULL ACTUARIAL LIABILITY, with a favorable report, as amended.

S. B. 333, A BILL TO BE ENTITLED AN ACT TO REDUCE THE YEARS A JUDGE MUST HAVE SERVED BEFORE RETIREMENT TO QUALIFY AS AN EMERGENCY JUDGE, with a favorable report and recommendation that the bill be re-referred to the Committee on Courts and Administration of Justice.

S. B. 490, A BILL TO BE ENTITLED AN ACT TO PERMIT DEDUCTION OF CERTAIN EMPLOYEE CONTRIBUTIONS TO QUALIFIED RETIREMENT PLANS, with a favorable report.

S. B. 618, A BILL TO BE ENTITLED AN ACT TO GIVE THE CITY OF EDEN AUTHORITY TO ABOLISH THE CITY OF EDEN EMPLOYEES' RETIREMENT SYSTEM UPON TRANSFER OF EMPLOYEES TO THE NORTH CAROLINA LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, with a favorable report, as amended.

By Representative Evans for the Committee on Banks and Thrift Institutions:

H. B. 1267, A BILL TO BE ENTITLED AN ACT TO REQUIRE LENDERS TO PAY INTEREST ON ESCROW ACCOUNTS, with an indefinite postponement report, with a Minority Report attached.

Representative Adams moves the adoption of the following Minority Report.

MINORITY REPORT

We, the undersigned members of the Committee on Banks and Thrift Institutions, being present and voting when House Bill No. 1267, A BILL TO BE ENTITLED AN ACT TO REQUIRE LENDERS TO PAY INTEREST ON ESCROW ACCOUNTS, was considered and ordered reported postponed indefinitely, file this Minority Report and ask its adoption.

S/ Allen Adams
S/ Phillip Berry
S/ Frank W. Ballance, Jr.
S/ Harry E. Payne, Jr.
S/ Ruth E. Cook
S/ David S. Diamont

Date: June 30, 1983

Representative Evans calls the previous question on the adoption of the Minority Report and the call is sustained.

Representative Adams calls for the "ayes" and "noes" on the adoption of the Minority Report and the call is sustained.

The Minority Report fails of adoption, by the following vote, and the bill is placed on the Unfavorable Calendar.

Those voting in the affirmative are: Representatives Adams, Anderson, Ballance, Barnes, Beall, Berry, Black, Blue, Bowen, Clark, Colton, Creecy, Diamont, Easterling,

Enloe, Bruce Ethridge, Fenner, Gentry, Gist, Hackney, Hauser, Kennedy, Locks, Miller, Nesbitt, Payne, Pool, Spaulding, Stamey, Tyndall, Tyson, Wicker, and Womble — 33.

Voting in the negative: Representatives Allran, Auman, Barbee, Barker, Beam, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Coble, Cochrane, J. W. Crawford, N. J. Crawford, DeVane, Economos, Bob Etheridge, Evans, Fletcher, Foster, Fussell, Gillam, Greenwood, Grimsley, Hasty, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jones, Jordan, Keesee, Lacey, Lambeth, Lancaster, Lee, Lilley, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Musselwhite, Nash, Owens, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Robinson, Seymour, Slaughter, Sparrow, Tennille, Varner, Warren, Watkins, B. Woodard, C. Woodard, and Wright — 77.

Excused absences: Representatives Beard, Edwards, Rhodes, Spoon, and Thomas — 5.

By Representative Pulley for the Committee on Judiciary No. 4:

S. B. 429, A BILL TO BE ENTITLED AN ACT TO PROVIDE PAYMENT FOR ATTORNEYS OR GUARDIANS AD LITEM FOR CERTAIN PERSONS, with a favorable report, as amended.

House Committee Substitute No. 1 for Senate Committee Substitute for S. B. 184, A BILL TO BE ENTITLED AN ACT TO ALLOW INCLUSION OF CERTAIN JUVENILE RECORDS IN PRE-SENTENCE REPORTS, with an unfavorable report as to House Committee Substitute Bill No. 1, favorable as to House Committee Substitute Bill No. 2.

House Committee Substitute Bill No. 2 is placed on the Calendar for July 7, 1983. House Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Watkins for the Committee on Appropriations:

H. B. 1040, A BILL TO BE ENTITLED AN ACT TO INCREASE EXAMINATION AND LICENSE FEES FOR INSURANCE AGENTS, ADJUSTERS, APPRAISERS, BROKERS, AND COMPANIES; BAIL BONDSMEN AND RUNNERS; COLLECTION AGENCIES; AND MOTOR CLUBS; AND TO APPROPRIATE FUNDS FOR ELECTRONIC DATA PROCESSING FOR THE DEPARTMENT OF INSURANCE, with a favorable report, as amended.

On motion of Representative Watkins, the rules are suspended and the bill is placed on today's Calendar.

By Representative Miller for the Committeee on Judiciary No. 1:

H. B. 1189, A BILL TO BE ENTITLED AN ACT TO INCREASE FROM TEN TO THIRTY THOUSAND DOLLARS THE THRESHOLD AT WHICH PUBLIC BODIES MUST REQUIRE PAYMENT AND PERFORMANCE BONDS OF CONTRACTORS AWARDED PUBLIC CONSTRUCTION CONTRACTS AND TO PERMIT PUBLIC BODIES TO REQUIRE BONDS FOR PUBLIC CONTRACTS OF LESS THAN THIRTY THOUSAND DOLLARS, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for July 7, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 1315, A BILL TO BE ENTITLED AN ACT TO CREATE A HOSPITAL LIEN FOR EMERGENCY HOSPITAL SERVICES AND TO ALLOW PROVIDERS OF MEDICAL SERVICES A LONGER TIME TO CLAIM A LIEN ON SUMS RECOVERED AS DAMAGES FOR PERSONAL INJURY, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for July 7, 1983. The original bill is placed on the Unfavorable Calendar.

S. B. 196, A BILL TO BE ENTITLED AN ACT TO APPROVE THE SOUTHEAST INTERSTATE LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT COMPACT, with an unfavorable report as to bill, favorable as to House committee substitute bill.

The House committee substitute bill is placed on the Calendar for July 7, 1983. The original bill is placed on the Unfavorable Calendar.

SUSPENSION OF RULES TO INTRODUCE LOCAL BILL

On motion of Representative Owens, Rule 31.1 is suspended by a two-thirds majority vote in order for a local bill to be filed.

On motion of Representative Church, Rule 31.1 is suspended by a two-thirds majority vote in order for a local bill to be filed.

CALENDAR

Action is taken on the following:

H. B. 925, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 58-43 RELATING TO NONRESIDENT AGENTS.

On motion of Representative Seymour, the House concurs in the Senate amendment and the bill is ordered enrolled.

Committee Substitute for H. B. 1173, A BILL TO BE ENTITLED AN ACT TO MODIFY THE BURDEN OF PROOF AND PUNISHMENT FOR ALLOWING PRISONERS TO ESCAPE.

On motion of Representative Jones, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 1215, A BILL TO BE ENTITLED AN ACT TO CLASSIFY METHAQUALONE AS A SCHEDULE I CONTROLLED SUBSTANCE.

On motion of Representative Beam, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 1237, A BILL TO BE ENTITLED AN ACT TO RESTORE THE 1975 LAW ON TERMINATION OF EMPLOYMENT OF A COUNTY SUPERVISOR OF ELECTIONS.

On motion of Representative Helms, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 1260, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CONFORMING CHANGES IN THE RAPE INDICTMENT STATUTE AS A RESULT OF CHAPTER 175 OF THE SESSION LAWS OF 1983.

On motion of Representative Lancaster, consideration of the bill is postponed until July 6, 1983.

Committee Substitute for H. B. 612, A BILL TO BE ENTITLED AN ACT TO REVISE THE STATUTES RELATING TO THE GAME COMMISSION OF CURRITUCK COUNTY, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 322, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DEPARTMENT OF HUMAN RESOURCES TO DESIGNATE GEOGRAPHIC AREAS WITHIN WHICH A SOLID WASTE MANAGEMENT PLAN WILL PROVIDE FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE; REQUIRING WASTE GENERATED WITHIN SAID AREAS TO BE DISPOSED OF AT PERMITTED SOLID WASTE MANAGEMENT FACILITIES; AUTHORIZING CITIES AND COUNTIES TO EVALUATE PROPOSALS AND NEGOTIATE CONTRACTS ON THE BASIS OF FACTORS OTHER THAN PRICE ALONE; AND EXPANDING THE POWERS OF MUNICIPALITIES WITH RESPECT TO THE ISSUANCE OF REVENUE BONDS FOR SYSTEMS, FACILITIES AND EQUIPMENT FOR THE COLLECTION, TREATMENT OR DISPOSAL OF SOLID WASTE, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Barbee, Barker, Beall, Beam, Berry, Black, Blue, Brannan, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Easterling, Economos, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gist, Greenwood, Grimsley, Hauser, Hayden, Helms, Hightower, Holmes, Holt, C. Hughes, J. Hughes, Hunt, Huskins, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Rabon, Redding, Roberts, Seymour, Slaughter, Sparrow, Spaulding, Stamey, Tennille, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 98.

Voting in the negative: Representatives Bowen, Brawley, Diamont, Gentry, Hackney, Hasty, and Robinson — 7.

Excused absences: Representatives Beard, Edwards, Rhodes, Spoon, and Thomas — 5.

H. B. 1040, A BILL TO BE ENTITLED AN ACT TO INCREASE EXAMINATION AND LICENSE FEES FOR INSURANCE AGENTS, ADJUSTERS, APPRAISERS, BROKERS, AND COMPANIES; BAIL BONDSMEN AND RUNNERS; COLLECTION AGENCIES; AND MOTOR CLUBS; AND TO APPROPRIATE FUNDS FOR ELECTRONIC DATA PROCESSING FOR THE DEPARTMENT OF INSURANCE.

On motion of Representative Beall, Committee Amendment No. 1 is adopted. This amendment changes the title.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Anderson, Auman, Barbee, Barker, Barnes, Beall, Beam, Berry, Black, Blue, Bowen, Brannan, Brawley, Brown, Bumgaradner, Burnley, Chapin, Childress, Church, Clark, Coble, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holmes, Holt, Hudson, Hunt, Hunter, Huskins, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Miller, Murphy, Nash, Nesbitt, Owens, Payne, Pool, Pulley, Rabon, Roberts, Robinson, Seymour, Slaughter, Sparrow, Spaulding, Stamey, Tennille, Tyndall, Tyson, Varner, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 94.

Voting in the negative: Representatives Allran, Brubaker, Cochrane, C. Hughes, J. Hughes, Poovey, and Redding — 7.

Excused absences: Representatives Beard, Edwards, Rhodes, Spoon, and Thomas — 5.

Committee Substitute for S. B. 147, A BILL TO BE ENTITLED AN ACT RELATING TO THE LAW ENFORCEMENT AUTHORITY OF WILDLIFE PROTECTORS.

Representative Wicker offers Amendment No. 1 which is adopted by electronic vote (101-0).

On motion of Representative Bob Etheridge, the bill and amendment are re-referred to the Committee on Appropriations.

H. B. 1318, A BILL TO BE ENTITLED AN ACT TO AMEND THE MEMBERSHIP COMPOSITION OF THE GOVERNOR'S WASTE MANAGEMENT BOARD.

Representative Lancaster offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (99-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

S. B. 621, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 85B, RELATING TO AUCTIONS AND AUCTIONEERS, passes its second reading by electronic vote (101-1).

Representative Church objects to the third reading. The bill remains on the Calendar.

S. J. R. 585, A JOINT RESOLUTION RECOGNIZING AND CLARIFYING THE POLICY OF THIS STATE TO AFFORD THE OPPORTUNITY FOR MENTALLY AND DEVELOPMENTALLY DISABLED PERSONS FOR ADEQUATE COMMUNITY SUPPORT SERVICES.

On motion of Representative Adams, Committee Amendment No. 1 is adopted.

The resolution, as amended, passes its second reading, by electronic vote (93-0), and there being no objection is read a third time.

The resolution, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

House Committee Substitute for S. B. 544, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN RELIGIOUS, NONPROFIT CONFERENCE CENTERS FROM THE COVERAGE OF THE WAGE AND HOUR LAWS, passes its second reading, by electronic vote (102-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

House Committee Substitute for Senate Committee Substitute for S. B. 424, A BILL TO BE ENTITLED AN ACT RELATING TO THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW.

Representatives Musselwhite, Childress, and Fletcher request that they be excused from voting on this bill under Rule 24.1A and their requests are granted.

Representative Nesbitt calls the previous question on the passage of the bill and the call is sustained.

The bill passes its second reading, by electronic vote (104-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

Committee Substitute for S. B. 506, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE ROLE OF POLITICAL PARTIES IN ELECTION FINANCING, passes its second reading, by electronic vote (97-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for S. B. 157, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE HIGH SCHOOL EMPLOYEES DESIGNATED BY THE SCHOOL BOARD AND APPOINTED BY THE COUNTY BOARD OF ELECTIONS TO REGISTER VOTERS.

Representative Gentry offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (82-16), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

INTRODUCTION OF BILLS AND RESOLUTIONS

On motion of Representative Church, the rules are suspended and the following is read the first time.

By Representative Church:

H. B. 1408, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE TOWN OF WARRENTON TO REIMBURSE THE TOWN FOR EXTRA POLICE EXPENSES INCURRED DURING THE PCB PROJECT CLEANUP IN WARREN COUNTY, is referred to the Committee on Appropriations.

On motion of Representative Owens, the rules are suspended and the following is read the first time:

By Representative Owens:

H. B. 1409, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 600 OF THE SESSION LAWS OF 1983 CONCERNING THE DATE OF THE SPECIAL ELECTION TO INCORPORATE THE TOWN OF LYNN.

On motion of Representative Owens, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. B. 188, A BILL TO BE ENTITLED AN ACT TO REGULATE THE HEIGHT OF TALL BUILDINGS OR STRUCTURES ON MOUNTAIN RIDGES.

S. B. 89, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 50 OF THE GENERAL STATUTES TO ESTABLISH PROCEDURES TO INSURE PAYMENT OF CHILD SUPPORT.

S. B. 323, A BILL TO BE ENTITLED AN ACT REGARDING THE METHOD OF EXECUTION IN THIS STATE.

H. B. 436, A BILL TO BE ENTITLED AN ACT TO REVISE G. S. 1A-1, RULE 4(j1), RELATING TO SERVICE OF PROCESS BY NEWSPAPER PUBLICATION IN ORDER TO INCORPORATE COURT MANDATED REQUIREMENTS AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

S. B. 602, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 147 OF THE GENERAL STATUTES TO ALLOW FOR THE PAYROLL DEDUCTION BY A DEPARTMENT OF TRANSPORTATION EMPLOYEE REQUIRED BY FEDERAL AND STATE LAW TO WEAR DAY-GLO ORANGE SHIRTS OR VESTS OF THE COST OF UNIFORM RENTAL AND INSURANCE PREMIUMS.

H. J. R. 1289, A JOINT RESOLUTION HONORING THE LIFE AND WORK OF MARION ALLEN WRIGHT.

S. J. R. 409, A JOINT RESOLUTION HONORING THE BRAVE LIFE OF ANTHONY CLYDE CORN.

H. B. 544, A BILL TO BE ENTITLED AN ACT TO REQUIRE A LAW ENFORCEMENT OFFICER WHO ARRESTS OR ISSUES A CITATION TO AN UNEMANCIPATED MINOR TO INFORM THE MINOR'S PARENTS OF THE ARREST OR CITATION.

H. B. 833, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN INTENSIVE PROBATION PROGRAM IN THE DIVISION OF ADULT PROBATION AND PAROLE.

H. B. 849, A BILL TO BE ENTITLED AN ACT TO PERMIT EDGECOMBE COUNTY TO SELL IMPOUNDED DOGS AND CATS TO REGISTERED INSTITUTIONS.

S. B. 636, A BILL TO BE ENTITLED AN ACT TO REPEAL CERTAIN OBSOLETE DEPARTMENT OF TRANSPORTATION STATUTES.

On motion of Representative Hunt, seconded by Representative Tyson, the House adjourns to reconvene July 6, 1983 at 1:30 p.m.

ONE HUNDRED TWENTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, July 6, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Locks:

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of July 5 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Jeralds, and Thomas for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Lilley for the Committee on Local Government No. 1:

H. B. 498, A BILL TO BE ENTITLED AN ACT TO ALLOW RESIDENTS OF ALAMANCE AND ROCKINGHAM COUNTIES TO REQUIRE A REFERENDUM ON ANNEXATION, with an unfavorable report.

H. B. 875, A BILL TO BE ENTITLED AN ACT REGARDING JUNKED CARS IN DARE COUNTY, with an indefinite postponement report.

H. B. 1336, A BILL TO BE ENTITLED AN ACT TO REGULATE THE SALE OR LEASE OF INDUSTRIAL DEVELOPMENT OR ECONOMIC DEVELOPMENT PROPERTY ACQUIRED UNDER CHAPTER 511 OF THE SESSION LAWS OF 1983, with an unfavorable report,

H. B. 571, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF RALEIGH TO PERMIT PAYMENTS IN LIEU OF DEDICATION OF LAND OR ACTUAL CONSTRUCTION OF REQUIRED IMPROVEMENTS IN THE APPROVAL OF SUBDIVISIONS, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for July 8, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Fussell for the Committe on Highway Safety:

H. B. 242, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE OPERATION OF A MOTOR VEHICLE WITH WINDSHIELD OR WINDOWS THAT OBSCURE THE VIEW INWARD, with an indefinite postponement report.

H. B. 421, A BILL TO BE ENTITLED AN ACT TO REGULATE FLASHING SIGNS NEAR ROADWAYS, with an indefinite postponement report.

H. B. 673, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 20-7.1 RELATING TO CHANGE OF ADDRESS ON OPERATOR'S LICENSE, with an indefinite postponement report.

H. B. 963, A BILL TO BE ENTITLED AN ACT TO INCREASE MOTOR VEHICLE ACCIDENT REPORTING LIMITS TO FIVE HUNDRED DOLLARS, with an indefinite postponement report.

H. B. 1071, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE REGISTRATION OF MO-PEDS, with an indefinite postponement report.

H. B. 1149, A BILL TO BE ENTITLED AN ACT TO RESTRICT DRIVERS UNDER THE AGE OF SEVENTEEN TO DRIVING DURING DAYLIGHT HOURS ONLY UNLESS DRIVING TO AND FROM WORK OR SCHOOL, with an unfavorable report as to bill, favorable as to committee substitute House joint resolution, which changes the title.

The committee substitute House joint resolution is placed on the Calendar for July 8, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 1374, A BILL TO BE ENTITLED AN ACT TO AMEND THE PRIMA FACIE EVIDENCE RULE FOR ENFORCEMENT OF PARKING REGULATIONS, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for July 8, 1983. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for S. B. 102, A BILL TO BE ENTITLED AN ACT TO PRESCRIBE PERFORMANCE STANDARDS FOR MOTOR VEHICLE SUN SCREENING DEVICES, with a favorable report, as amended.

By Representative McDowell for the Committee on Corrections:

H. B. 1124, A BILL TO BE ENTITLED AN ACT TO AMEND UNIFORM JAIL FEES, with an unfavorable report as to bill, favorable as to committee substitute bill, and recommendation that the substitute bill be re-referred to the Committee on Finance.

The substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Mavretic for the Committee on Pensions and Retirement:

S. B. 106, A BILL TO BE ENTITLED AN ACT TO EXTEND DEATH AND ACCIDENT BENEFITS TO LAW ENFORCEMENT OFFICERS RETIRED PRIOR TO JULY 1, 1965, with an indefinite postponement report.

By Representative Hunt for the Committee on Rules and Operation of the House:

H. J. R. 173, A JOINT RESOLUTION MEMORIALIZING CONGRESS TO REPEAL THE RECENTLY ENACTED WITHHOLDING TAX ON INTEREST AND DIVIDENDS, with an indefinite postponement report.

H. J. R. 697, A JOINT RESOLUTION EXPRESSING THE CONCERN OF THE GENERAL ASSEMBLY OVER THE NAVY'S PROPOSAL TO DISPOSE OF DECOMMISSIONED NUCLEAR SUBMARINES OFF THE NORTH CAROLINA COAST, with an indefinite postponement report.

H. B. 1322, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT ANNUAL AUTOMOBILE SAFETY INSPECTIONS EXPIRE AT THE SAME TIME AS THE ANNUAL REGISTRATION RENEWAL STICKER, with an indefinite postponement report.

H. J. R. 1389, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE ISSUE OF WASTE OIL DISPOSAL IN THE STATE OF NORTH CAROLINA, with an indefinite postponement report.

By Representative Pulley for the Committee on Judiciary No. 4:

Senate Committee Substitute for House Committee Substitute for H. B. 96, A BILL TO BE ENTITLED AN ACT TO SIMPLIFY AND CODIFY THE RULES OF EVIDENCE, with recommendation that the House concur.

On motion of Representative Pulley, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Pulley, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

Committee Substitute No. 1 for H. B. 645, A BILL TO BE ENTITLED AN ACT TO RECODIFY THE PUBLIC HOSPITAL LAWS IN CHAPTERS 131 AND 131B AND IN PORTIONS OF CHAPTER 130 OF THE GENERAL STATUTES, with an unfavorable report as to Committee Substitute Bill No. 1, favorable as to Committee Substitute Bill No. 2.

Committee Substitute Bill No. 2 is placed on the Calendar for July 8, 1983. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative McAlister for the Committee on Water and Air Resources:

H. B. 1383, A BILL TO BE ENTITLED AN ACT CONCERNING INACTIVE HAZARDOUS SUBSTANCE DISPOSAL SITES, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Finance.

On motion of Representative Lilley, Committee Amendment No. 1 is adopted.

On motion of Representative McAlister, the bill is re-referred to the Committee on Finance.

On motion of Representative Hackney, the rules are suspended and the bill is re-referred without engrossment.

Representative Bumgardner moves that the House conferees on Senate Committee Substitute for S. B. 209, A BILL TO BE ENTITLED AN ACT TO AMEND THE MOTOR VEHICLE LAWS IN CHAPTER 20 OF THE GENERAL STATUTES TO CONFORM TRUCK WEIGHTS ON STATE HIGHWAYS TO THE FEDERAL BRIDGE FORMULA AND TO UPDATE THE STATUTE BY MAKING OTHER CHANGES, be dismissed and this motion carries.

Representative Bumgardner moves that the bill be recalled from the Senate and this motion carries.

The Speaker orders a Special Message be sent to the Senate requesting the return of the bill for further consideration.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Berry, Ballance, Black, Brennan, Easterling, Economos, Foster, Helms, Jeralds, Locks, and Spaulding:

H. B. 1406, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE MECKLENBURG YOUTH COUNCIL, INCORPORATED, is referred to the Committee on Appropriations.

By Representatives Berry, Ballance, Black, Brennan, Easterling, Economos, Foster, Helms, Jeralds, and Locks:

H. B. 1407, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO ESTABLISH A MECKLENBURG COUNTY OFFICE OF MINORITY AFFAIRS, is referred to the Committee on Appropriations.

By Representatives Fletcher, Allran, J. Hughes, Lacey, and Robinson:

H. B. 1410, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CONSTRUCTION OF AN INTERFAITH CHAPEL AT THE WESTERN CAROLINA CENTER IN MORGANTON, is referred to the Committee on Appropriations.

On motion of Representative Auman, the rules are suspended and the following is read the first time:

By Representative Auman:

H. J. R. 1411, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JULIAN HAWLEY POOLE, A FORMER MEMBER OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules and Operation of the House.

On motion of Representative Bob Etheridge, the rules are suspended and the following is read the first time:

By Representatives Bob Etheridge and Wicker:

H. B. 1414, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE CONDEMNATION POWERS OF COUNTY WATER AND SEWER DISTRICTS, is referred to the Committee on Judiciary No. 4.

On motion of Representative Enloe, the rules are suspended and the following is read the first time:

By Representative Enloe:

H. B. 1415, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON APPOINTED TO FILL A VACANCY IN AN ELECTED CITY OFFICE SHALL SERVE ONLY UNTIL THE NEXT CITY ELECTION, is referred to the Committee on Election Laws.

On motion of Representative Anderson, the rules are suspended and the following is read the first time:

By Representative Anderson:

H. B. 1419, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 58-54.4 RELATING TO THE LAW PROHIBITING UNFAIR BUSINESS PRACTICES, is referred to the Committee on Insurance.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 6, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body that pursuant to House Joint Resolution No. 1135, as amended by S. J. R. 655, A JOINT RESOLUTION TO ESTABLISH THE PROCEDURE FOR NOMINATING AND ELECTING MEMBERS OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA, the Senate stands ready to repair to the Hall of the House, there to sit in Joint Session with your Honorable Body.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

The Speaker orders a message sent to the Senate informing that Honorable Body that the House of Representatives stands ready to receive them in Joint Session at the hour appointed.

JOINT SESSION

Pursuant to resolution heretofore adopted, and exchange of messages, the Sergeant-at-Arms of the House of Representatives announces the arrival of the Senate at the door of the House. The Speaker directs the admittance and seating of that Honorable Body. The President of the Senate, the Honorable James C. Green, is seated to the right of the Speaker and is presented the gavel.

The Joint Session is called to order by the President.

The President instructs the Reading Clerk of the Senate to call the roll and the following Senators answer present: Senators Alford, Allsbrook, Ballenger, H. Barnes, R. Barnes, Childers, Daniels, Davis, Duncan, E. Edwards, J. Edwards, Gray, Guy, Hancock, Hardison, Harrington, K. Harris, O. Harris, Hipps, Hunt, Jenkins, Johnson, Jordan, Kincaid, Lawing, Marion, Martin, Marvin, Parnell, Plyler, Rand, Rauch, Redman, Soles, Speed, Staton, Swain, Tally, J. Thomas, R. Thomas, Tison, Walker, Ward, Warren, White, Winner, Woodard, and Wright — 48.

The President calls for a quorum call of the House of Representatives to be taken electronically and the following Representatives are recorded as present: Speaker Ramsey, Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, Jarrell, Jones, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Poovey, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Sparrow, Spaulding, Spoon, Stamey, Tennille, Tyndall, Tyson, Varner, Watkins, Womble, B. Woodard, C. Woodard, and Wright — 107.

Excused absences: Representatives James, Jeralds, and Thomas — 3.

A quorum of each House being declared present, the Joint Session proceeds with its business.

Senator Lawing, Chairman of the Senate Committee on Rules and Operation of the Senate presents the following report containing the slate of Senate nominees to the Board of Governors on which the Senate will vote pursuant to S. J. R. 655.

The Committee on Rules and Operation of the Senate recommends the following persons for the nomination by the Joint Session of the Senate and the House of Representatives for election to the Board of Governors to the University of North Carolina. Each of these persons is, in the opinion of the Committee, legally qualified for the position to which he or she is recommended and has stated that he or she would serve if elected.

MINORITY PARTY CATEGORY EIGHT YEAR SEAT

(Senate Will Elect One)

James Earl Danieley, Elon College
Barbara Stockton Perry, Kinston
Ed Tenney, Chapel Hill

AT-LARGE CATEGORY EIGHT YEAR SEAT

(Senate Will Elect Three)

Irwin Belk, Charlotte
Wayne A. Corpening, Winston-Salem
Daniel C. Gunter, Jr., Gastonia
George Austin Hux, Enfield
Irvin L Joyner, Raleigh
Samuel Hawley Poole, Southern Pines
John F. Shuford, Asheville

S/ W. Craig Lawing, *Chairman*
Committee on Rules and
Operation of the Senate

Representative Auman, Chairman of the House Committee on University Board of Governors Nominating Committee presents the following report containing the slate of House nominees to the Board of Governors, on which the House of Representatives will vote pursuant to H. J. R. 1135, as amended by S. J. R. 655.

The University Board of Governors Nominating Committee of the House recommends the following persons for nomination by the House of Representatives for election to the Board of Governors of the University of North Carolina. Each of these persons is, in the opinion of the Committee, legally qualified for the position and has stated that he or she would serve if elected.

RECOMMENDED NOMINEES	NOMINEES
At-Large Category	**At-Large Category**
John R. Jordan, Jr.	Robert M. Pitts
J. Aaron Prevost	William H. McMillan
Women's Category	**Women's Category**
Adelaide F. Holderness	Joan Fox
Minority Race Category	**Minority Race Category**
Louis T. Randolph	Charles T. Byrd
	Felton J. Capel

S/ T. Clyde Auman, *Chairman*
House University Board of Governors Nominating Committee
July 6, 1983

The President announces that the floor is now open for further nominations. There being none, Senator Lawing moves, seconded by Representative Auman, that the nominations be closed. This motion carries.

On motion of Senator Lawing, the Joint Session is dissolved and the Senate returns to the Senate Chamber.

The House resumes its business.

Representative Quinn sends forth a Conference Report on H. B. 278, A BILL TO BE ENTITLED AN ACT TO ENACT THE TAX ADJUSTMENT ACT OF 1983, which is ruled to be material, and moves its adoption.

The following Conference Report is received, read the first time and placed on the Calendar of July 7, 1983 for its second roll call reading.

CONFERENCE REPORT

July 6, 1983

TO: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees appointed to resolve the differences arising between the Senate and the House of Representatives on The Senate Committee Substitute (Fourth Edition Engrossed) for the House Committee Substitute (Third Edition Engrossed) for House Bill 278, A BILL TO BE ENTITLED AN ACT TO ENACT THE TAX ADJUSTMENT ACT OF 1983, wish to report as follows:

The House recedes from its disagreement to the Senate Committee Substitute (Fourth Edition Engrossed) and concurs in same with an amendment as follows: Strike out the entire Senate Committee Substitute and insert in lieu thereof the attached proposed Conference Committee Substitute PCCS-4162. The Senate concurs in the same.

Part I. Court Costs and Fees.

Section 1. Article 28 of General Statutes Chapter 7A is amended by adding a new section G. S. 7A-320 as follows:

"§ 7A-320. **Costs are exclusive.** — The costs set forth in this Article are complete and exclusive, and in lieu of any other costs and fees."

Sec. 2. G. S. 7A-304(a) (4) is amended by substituting the words and figures "twenty-three dollars ($23.00)" for the words and figures "nineteen dollars ($19.00)" and is futher amended by substituting the words and figures "thirty dollars ($30.00)" for the words and figures "twenty-eight dollars ($28.00)".

Sec. 3. G. S. 7A-304(c) is amended by rewriting the first sentence as follows: "Witness fees, expenses for blood tests and comparisons incurred by G. S. 8-50.1(a), jail fees and cost of necessary trial transcripts shall be assessed as provided by law in addition to other costs set out in this section."

Sec. 4. G. S. 7A-305(a) (2) is amended by rewriting the first sentence as follows: "For support of the General Court of Justice, the sum of thirty-seven dollars ($37.00) in the

superior court, and the sum of twenty-two dollars ($22.00) in the district court except that if the case is assigned to a magistrate the sum shall be ten dollars ($10.00)."

Sec. 5. G. S. 7A-305 is amended by adding a new subsection (b1) as follows:

"(b1) When a defendant files an answer in a action filed as a small claim which requires the entire case to be withdrawn from a magistrate and transferred to the district court, the difference between the General Court of Justice fee and facilities fee applicable to the district court and the General Court of Justice fee and facilities fee applicable to cases heard by a magistrate shall be assessed. The defendant is responsible for paying the fee."

Sec. 6. G. S. 7A-305(d) is amended by deleting the words "The uniform costs set forth in this section are complete and exclusive, and in lieu of any and all other costs, fees, and commissions, except that the" and inserting in their place the word "The".

Sec. 7. G. S. 7A-306(a) (2) is amended by deleting the words and figures "thirteen dollars ($13.00)" and inserting in their place the words and figures "twenty-two dollars ($22.00)", and by rewriting the second sentence as follows: "In addition, in proceedings involving land, except boundary disputes, if the fair market value of the land involved is over one hundred dollars ($100.00), there shall be an additional sum of thirty cents (30¢) per one hundred dollars ($100.00) of value, or major fraction thereof, not to exceed a maximum additional sum of two hundred dollars ($200.00)."

Sec. 8. G. S. 7A-306(b) is amended by substituting the words and figures "twenty-two dollars ($22.00)" for the words and figures "thirteen dollars ($13.00)".

Sec. 9. G. S. 7A-306(c) is amended by deleting the words "The uniform costs set forth in this section are complete and exclusive, and in lieu of any and all other costs, fees, and commissions, except that the" and inserting in their place the word "The".

Sec. 10. G. S. 7A-307(a) as it appears in the 1981 Replacement Volume 1B of the General Statutes is amended by adding on line 2 between the comma and the word "the" "and in collections of personal property by affidavit,".

Sec. 11. G. S. 7A-307(a) (2) is amended by rewriting the first sentence as follows:"For support of the General Court of Justice, the sum of twenty-two dollars ($22.00), plus an additional forty cents (40¢) per one hundred dollars ($100.00), or major fraction thereof, of the gross estate."

Sec. 12. G. S. 7A-307(a) (2) is amended by deleting the sixth sentence.

Sec. 13. G. S. 7A-307(a) (2) is amended by substituting the words and figures "five dollars ($5.00)" for the words and figures "one dollar ($1.00)".

Sec. 14. G. S. 7A-307(a) is amended by adding a new subdivision (3) as follows: "(3) For probate of a will without qualification of a personal representative, the clerk shall assess a facilities fee as provided in subdivision (1) of this subsection and shall assess for support of the General Court of Justice, the sum of twelve dollars ($12.00)."

Sec. 15. G. S. 7A-307(b) is amended by substituting the words and figures "twenty-two dollars ($22.00)" for the words and figures "eight dollars ($8.00)" and by substituting the words and figures "twenty-five dollars ($25.00)" for the words and figures "ten dollars ($10.00)".

Sec. 16. G. S. 7A-307(c) is amended by deleting the words "The uniform costs set forth in this section are complete and exclusive, and in lieu of any and all other costs, fees, and commissions, except that the" and inserting in their place the word "The".

Sec. 17. G. S. 7A-307 is amended by adding a new subsection (b1) as follows:

"(b1) The clerk shall assess the following miscellaneous fees:

(1) Filing a will with no probate	
— first page	$ 1.00
— each additional page or fraction thereof	.25
(2) Issuing letters testamentary, per letter over five letters issued	1.00
(3) Inventory of safe deposits of a decedent, per box, per day	15.00
(4) Taking a deposition	5.00"

Sec. 18. G. S. 7A-308 is rewritten as follows:

"§ 7A-308. **Miscellaneous fees and commissions.** — (a) The following miscellaneous fees and commissions shall be collected by the clerk of superior court and remitted to the State for the support of the General Court of Justice:

(1) Foreclosure under power of sale in deed of trust or mortgage Plus an additional sum of thirty cents (30¢) per one hundred dollars ($100.00), or major fraction thereof, of the final sale price shall be collected. In no case shall the additional sum exceed two hundred dollars ($200.00).	$25.00
(2) Proceeding supplemental to execution	20.00
(3) Confession of judgment	15.00
(4) Taking a deposition	5.00
(5) Execution	15.00
(6) Notice of resumption of maiden name	5.00
(7) Taking an acknowledgment or administering an oath, or both, with or without seal, each certificate (except that oaths of office shall be administered to public officials without charge)	1.00
(8) Bond, taking justification or approving	5.00
(9) Certificate, under seal	2.00
(10) Exemplification of records	5.00
(11) Recording or docketing (including indexing) any document, per page or fraction thereof	4.00
(12) Preparation of copies	
— first page	1.00
— each additional page or fraction thereof	.25
(13) Preparation of transcript of judgment	5.00
(14) Sustitution of trustee in deed of trust	5.00
(15) Execution of passport application — the amount allowed by Federal Law	

(16) On all funds placed with the clerk by virtue or color of his office, to be administered, invested, or administered in part and invested in part, a commission of five percent (5%), with a minimum fee of fifteen dollars ($15.00) and a maximum fee of one thousand dollars ($1,000). For purposes of assessing a commission, receipts are cumulative for the life of an account.

(17) Criminal record search except if search is requested by an agency of the State or any of its political subdivisions or by an agency of the United States or by a petitioner in a proceeding under Article 2 of General Statutes Chapter 20 5.00

(18) Filing the affirmations, acknowledgements, agreements and resulting orders entered into under the provisions of G. S. 110-132 and G. S. 110-133. 4.00

(b) The fees and commissions set forth in this section are not chargeable when the service is performed as a part of the regular disposition of any action or special proceeding or the administration of an estate. When a transaction involves more than one of the services set forth in this section, only the greater service fee shall be charged."

Sec. 19. G. S. 7A-309 is rewritten as follows:

"§ 7A-309. **Magistrate's special fees.** — The following special fees shall be collected by the magistrate and remitted to the clerk of superior court for the use of the State in support of the General Court of Justice:

(1) Performing marriage ceremony $10.00

(2) Hearing petition for year's allowance to surviving spouse or child, issuing notices to commissioners, allotting the same, and making return 4.00

(3) Taking a deposition 5.00

(4) Proof of execution or acknowledgment of any instrument 1.00

(5) Performing any other statutory function not incident to a civil or criminal action 1.00."

Sec. 20. G. S. 7A-314 is amended by adding a new subsection (f) to read as follows:

"(f) In a criminal case when a person who does not speak or understand the English language is an indigent defendant, a witness for an indigent defendant, or a witness for the State and the court appoints a language interpreter to assist that defendant or witness in the case, the reasonable fee for the interpreter's services, as set by the court, are payable from funds appropriated to the Administrative Office of the Courts."

Sec. 21. G. S. 28A-25-1(b) is amended by deleting the statutory reference "G. S. 7A-308(a) (11)" and by inserting in its place "G. S. 7A-307".

Part II. Secretary of State Fees and Taxes.

Sec. 22. G. S. 10-1 is amended by deleting the phrase "ten dollars ($10.00)" and substituting the phrase "fifteen dollars ($15.00)".

Sec. 23. G. S. 25-9-403(5) is amended by rewriting the first sentence to read:

"The uniform fee for filing and indexing and for stamping a copy furnished by the secured party to show the date and place of filing for an original financing statement or for a continuation statement is five dollars ($5.00) for an approved statutory form statement as prescribed in G. S. 25-9-402 when printed on a standard-size form approved by the Secretary of State, and for all other statements, the fee is ten dollars ($10.00)."

Sec. 24. G. S. 25-9-405(1) is amended by rewriting the last sentence to read:

"The uniform fee for filing, indexing, and furnishing filing data for a financing statement so indicating an assignment is five dollars ($5.00) when submitted on a standard-size form approved by the Secretary of State, and for all other statements, the fee is ten dollars ($10.00)."

Sec. 25. G. S. 25-9-405(2) is amended by rewriting the fifth sentence to read:

"The uniform fee for filing, indexing, and furnishing filing data about such a separate statement of assignment is five dollars ($5.00) when submitted on a standard-size form approved by the Secretary of State, and for all other statements, the fee is ten dollars ($10.00)."

Sec. 26. G. S. 25-9-406 is amended by rewriting the fifth sentence to read:

"The uniform fee for filing and noting such a statement of release is five dollars ($5.00) when submitted on a standard-size form approved by the Secretary of State, and for all other statements, the fee is ten dollars ($10.00)."

Sec. 27. G. S. 25-9-407(2) is amended by deleting the phrase "three dollars ($3.00)" and substituting the phrase "five dollars ($5.00)".

Sec. 28. G. S. 25-9-407(2) is futher amended by adding a new sentence between the second and third sentences to read:

"Where the Uniform Commercial Code index has been automated, the filing officer shall issue a computer printout of the index entries for a particular debtor for a fee of five dollars ($5.00)."

Sec. 29. G. S. 44-68.4(a) (1) and (2) are amended by deleting the phrase "two dollars ($2.00)" in each subdivision and substituting the phrase "five dollars ($5.00)".

Sec. 30. G. S. 44-68.4(a) (3) is amended by deleting the phrase "one dollar ($1.00)" and substituting the phrase "five dollars ($5.00)".

Sec. 31. G. S. 44-68.4(b) is rewritten to read:

"The fee for furnishing the certificate provided for in G. S. 44-68.3(d) in the office of the Secretary of State is five dollars ($5.00). Where the federal tax lien index has been automated, the filing officer shall issue a computer printout of the index entries for a particular debtor for a fee of five dollars ($5.00). The fee for furnishing copies provided for in G. S. 44-68.3(d) is one dollar ($1.00) per page."

Sec. 32. G. S. 55-155(a) (1), (2), (3), (4), (5), (9), (10), (11), (12), (13), (14), (16), (17), (21), and (29) are each amended by deleting the phrase "$5.00" and substituting the phrase $10.00".

Sec. 33. G. S. 55-155(a) (6) and (18) are each amended by deleting the phrase "$3.00" and substituting the phrase "$5.00".

Sec. 34. G. S. 55-155(a) (25) and (26) are each amended by deleting the phrase "$2.00" and substituting the phrase "$5.00".

Sec. 35. G. S. 55-155(a) (7) and (8) are each amended by deleting the phrase "$1.00" and substituting the phrase "$5.00".

Sec. 36. G. S. 55-156(a) (1), (2), (5), and (6) are each amended as follows:

(1) in each place where the phrase "$.40" appears, that phrase is deleted and the phrase "$.80" is substituted;

(2) in each place where the phrase "$40.00" appears, that phrase is deleted and the phrase "$80.00" is substituted; and

(3) in each place where the phrase "$500.00" appears, that phrase is deleted and the phase "$1,000" is substituted.

Sec. 37. G. S. 55-155(a) (19) is repealed.

Sec. 38. G. S. 55-156(a) (3) and (4) are rewritten to read:

"(3) Articles of amendment which do not include an authorization to increase capital stock $15.00

(4) Articles of dissolution 20.00".

Sec. 39. G. S. 55A-77(a) (1), (2), (3), (4), (5), (6), (7), (11), (13), (16), and (17) are each amended by deleting the phrase "$5.00" and substituting the phrase "$10.00".

Sec. 40. G. S. 55A-77(a) (8) and (10) are each amended by deleting the phrase "$3.00" and substituting the phrase "$5.00".

Sec. 41. G. S. 55A-77(a) (9) is amended by deleting the phrase "$1.00" and substituting "$5.00".

Sec. 42. G. S. 55A-77(a) (12) is repealed.

Sec. 43. G. S. 55A-78(a) is amended by deleting the phrase "fifteen dollars ($15.00)" and substituting the phrase "thirty dollars ($30.00)".

Sec. 44. G. S. 55A-78(b) is amended by deleting the phrase "forty dollars ($40.00)" and substituting the phrase "sixty-five dollars ($65.00)".

Sec. 45. G. S. 78A-28(b) is rewritten to read:

"(b) Every person filing a registration statement shall pay a filing fee of one hundred dollars ($100.00), plus a registration fee of one-tenth of one percent (1/10 of 1%) of the maximum aggregate offering price at which the registered securities are to be offered in this State, but the registration fee may not be less than twenty-five dollars ($25.00) nor more than one thousand five hundred dollars ($1,500). When a registration statement is withdrawn before the effective date or a pre-effective stop order is entered under G. S. 78A-29, the Administrator shall retain the filing fee. A registration statement relating to securities issued or to be issued by a mutual fund, open-end management company, or unit investment trust or relating to other redeemable securities, to be offered for a period in excess of one year, must be renewed annually by payment of a renewal fee of one hundred dollars ($100.00) and by filing any documents or reports that the Administrator may by rule or order require."

Sec. 46. G. S. 78A-28(h) is amended by deleting from the first sentence the word "Every" and substituting the following;

"Except during the time a stop order is in effect under G. S. 78A-29, a registration statement relating to securities issued or to be issued by a mutual fund, open-end management company, or unit investment trust or relating to other redeemable securities, to be offered for a period in excess of one year, expires on December 31 of each year or some other date not more than one year from its effective date as the Administrator may by rule or order provide. Every other".

Sec. 47. G. S. 78A-28(j) is amended by rewriting the last sentence to read: "Every person filing such an amendment shall pay a registration fee calculated in the manner specified in subsection (b) and a filing fee of fifty dollars ($50.00) with respect to the additional securities proposed to be offered."

Sec. 48. The first sentence of G. S. 78A-37(b) is rewritten to read: "Every applicant for initial or renewal registration shall pay a filing fee of one hundred fifty dollars ($150.00) in the case of a dealer and twenty-five dollars ($25.00) in the case of a salesman."

Sec. 49. The last sentence of G. S. 80-3 is amended by deleting the phrase "ten dollars ($10.00)" and substituting the phrase "twenty-five dollars ($25.00)".

Sec. 50. G. S. 120-47.3 is amended by deleting in each place it appears the phrase "fifty dollars ($50.00)" and substituting the phrase "seventy-five dollars ($75.00)".

Sec. 51. G. S. 120-47.2(a) is amended by adding the following new language at the end:

"If a corporation or partnership is employed or retained as a legislative counsel, and more than one partner, employee or officer of the corporation or partnership, shall act as a legislative agent on behalf of the client, then the additional individuals shall be separately listed on the registration under subsection (b), and a fee in the same amount as imposed by G. S. 120-47.3 shall be due for each such individual in excess of one."

Part III. Inspection Fee Increases.

Sec. 52. G. S. 95-105 is rewritten to read:

"§ 95-105. Elevator, escalator, dumbwaiter, and special equipment inspection fees. — The Department of Labor shall assess and collect the following inspection service fees for the installation and alteration of elevators, escalators, dumbwaiters that are not installed or altered in restaurants, and special equipment based on the cost of installation or alteration:

Cost of Installation or Alteration			Unit Fee
$0	—	$ 10,000	$ 80
10,001	—	30,000	120
30,001	—	50,000	170
50,001	—	80,000	215
80,001	—	100,000	235
Over 100,000			285.

An additional fee of seventy-five dollars ($75.00) shall be assessed for each follow-up inspection of a new installation required subsequent to the original inspection.

The Department of Labor shall assess and collect a fee of ten dollars ($10.00) for the periodic inspection of special equipment and shall assess and collect the following fees for the periodic inspection of elevators, escalators, and dumbwaiters:

Number of Building Floors:	
1–5 Floors	$13
6–10 Floors	20
11-15 Floors	35
16– Floors and over	45."

Sec. 53. G. S. 95-106 is rewritten to read;

"§ 95-106. **Amusement, aerial tramway, and inclined railroad inspection fees.** — The Department of Labor shall assess and collect the following inspection service fees for annual inspections for each location within the State of amusement devices, aerial passenger tramways, and inclined railroads:

Type Inspection	Unit Fee
Amusement Devices	$ 12
Gondolas, Chairlifts, and Inclined Railroads	137
J- or T-Bars	62
Rope Tows	31."

Part IV. Road Tax Registration Changes; Private Passenger Vehicle Registration Fee Increase.

Sec. 54. Part 7 of Article 3 of Chapter 20 of the General Statutes is amended by adding a new section immediately following G. S. 20-88 to read:

"§ 20-88A. **Registration of certain vehicles for road tax.** — Owners of passenger vehicles with seating capacity for more than twenty passengers, road tractors, tractor trucks, or trucks with more than two axles shall, in addition to all other registration fees imposed by this Article, pay a registration fee of ten dollars ($10.00) to register for purposes of the road tax imposed by Article 36B of Chapter 105. This fee shall be paid to the Commissioner at the same time as the fees imposed by G. S. 20-87 or G. S. 20-88 are paid. All vehicles licensed for more than thirty-two thousand pounds are presumed to have more than two axles. When registering a vehicle under this section, the owner of a vehicle that is leased to another shall report the name of the lessee to the Commissioner.

The Commissioner shall report all vehicles registered under this section to the Secretary of Revenue. No registration plate or registration renewal sticker shall be isssued for a motor vehicle required to be registered under this section if the owner or lessee of that vehicle is not in compliance with Articles 36A or 36B of Chapter 105. The registration plate or registration renewal sticker issued for a motor vehicle under G. S. 20-87 or 20-88 signifies registration in accordance with this section. The Commissioner may revoke the registration plate for a motor vehicle registered under this section whenever the owner or lessee of the vehicle fails to comply with Articles 36A or 36B of Chapter 105.

This section does not apply to vehicles owned by the United States, the State or its political subdivisions, special mobile equipment as defined in G. S. 20-4.01(44), and vehicles owned by nonprofit religious, educational, charitable, or benevolent organizations."

Sec. 55. G. S. 105-449.37 is rewritten to read:

"§ 105-449.37. **Definitions; tax liability.** — (a) As used in this Article unless the context clearly requires otherwise:

(1) 'motor carrier' means every person, firm, or corporation who operates or causes to be operated on any highway in this State a passenger vehicle with seating capacity for more than 20 passengers, a road tractor, a tractor truck, or a truck with more than two axles. The term does not include the United States, the State or its political subdivisions, operators of special mobile equipment as defined in G. S. 20-4.01(44), or nonprofit religious, educational, charitable or benevolent organizations;

(2) 'operations' means operations of all vehicles described in subdivision (1), whether loaded or empty and whether or not operated for compensation; and

(3) 'Secretary' means the Secretary of Revenue.

(b) A motor carrier who operates on one or more days of a quarter is liable for the tax imposed by this Article for that quarter and is entitled to the credits allowed for that quarter."

Sec. 56. G. S. 105-449.47 is rewritten to read:

"§ 105-449.47. **Registration of vehicles.** — A motor carrier may not operate or cause to be operated in this State any vehicle listed in the definition of motor carrier unless the motor carrier has registered the vehicle for purposes of the tax imposed by this Article with the Commissioner of Motor Vehicles or the Secretary, as appropriate. All vehicles required to be registered under this section that are registered in this State under G. S. 20-87 or G. S. 20-88 shall be registered with the Commissioner of Motor Vehicles pursuant to G. S. 20-88A for the purposes of the tax imposed by this Article. All other vehicles required to be registered under this section shall be registered with the Secretary.

Upon application and payment of a fee of ten dollars ($10.00), the Secretary shall issue a registration card and identification marker for a vehicle. The registration card shall be carried in the vehicle for which it was issued when the vehicle is in this State. The identification marker shall be clearly displayed at all times and shall be affixed to the vehicle for which it was issued in the place and manner designated by the Secretary. Every identification marker issued shall bear a number that corresponds to the number on the registration card issued for the same vehicle. Registration cards and identification markers required by this section shall be issued on a calendar year basis. The Secretary may renew registration cards and identification markers without issuing new cards and markers. All identification markers issued by the Secretary remain the property of the State."

Sec. 57. G. S. 105-449.48 is rewritten to read:

"§ 105-449.48 **Fees paid to Highway Fund.** — All fees collected under this Article shall be paid to the Highway Fund."

Sec. 58. The first sentence of G. S. 105-449.49 is amended by deleting the phrase "a registration card and identification marker" and inserting in lieu thereof the phrase "registering the vehicle in accordance with G. S. 105-449.47".

Sec. 59. The first sentence of G. S. 105-449.51 is rewritten to read:

"Any person who operates or causes to be operated on a highway in this State a motor vehicle that does not carry a registration card as required by this Article, does not properly display an identification marker as required by this Article, or is not registered in accordance with this Article is guilty of a misdemeanor and, upon conviction thereof, shall be fined no less than ten dollars ($10.00) nor more than two hundred dollars ($200.00)."

Sec. 60. The first sentence of the second paragraph of G. S. 105-449.52 is amended by deleting the phrase "a proper registration card and identification marker being applied for" and inserting in lieu thereof the phrase "registering or making an application for registration in accordance with this Article".

Sec. 61. G. S. 20-87(5) is amended by deleting the figure "$13.00" and inserting in lieu thereof the figure "$17.00", and by deleting the figure "$16.00" and inserting in lieu thereof the figure "20.00".

Part V. Income Taxes.

Sec. 62. Article 1 of Chapter 105 is amended by adding a new section immediately after G. S. 105-2 to read:

"§ 105-2.1. **Internal Revenue Code definition.** — As used in this Article, the term 'Code' means the Internal Revenue Code as enacted as of April 1, 1983, and includes any provisions enacted as of that date which become effective after that date."

Sec. 63. G. S. 105-3(5) is amended as follows:

(1) by deleting the phrase "section 401(a) of the United States Internal Revenue Code" and inserting in lieu thereof the phrase "26 U.S.C. §401(a)";

(2) by deleting the phrase "section 403(a) or 403(b) of such Code" and inserting in lieu thereof the phrase "26 U.S.C. §403(a) or §403(b)";

(3) by deleting the phrase "section 401(c) (1) of the United States Internal Revenue Code" and inserting in lieu thereof the phrase "26 U.S.C. §401(c) (1)"; and

(4) by deleting the phrase "section 404 of such Code" and inserting in lieu thereof the phrase "26 U.S.C. §404".

Sec. 64. G. S. 105-3(6) is amended as follows:

(1) by deleting the phrase "section 219 or 220 of the Internal Revenue Code of 1954 as amended" and inserting in lieu thereof the phrase "26 U.S.C. §219 or §220";

(2) by deleting the phrase "section 402(a) (5), 403(a) (4), 408(d) (3), or 409(b) (3) (C) of such Code" and inserting in lieu thereof the phrase "26 U.S.C. §§402(a) (5), 403(a) (4), 408(d) (3), or 409(b) (3) (C)"; and

(3) by deleting the phrase "section 219 or 220 of such Code" and inserting in lieu thereof the phrase "26 U.S.C. §219 or §220".

Sec. 65. The last sentence of G. S. 105-9.1 is rewritten to read:

"If the personal representative makes this election , the provisions of the Code pertaining to an optional valuation date apply."

Sec. 66. G. S. 105-114 is amended by inserting a new paragraph between the first and second paragraphs of that section to read:

"As used in this Article, the term 'Code' means the Internal Revenue Code as enacted as of April 1, 1983, and includes any provisions enacted as of that date which become effective after that date."

Sec. 67. The third paragraph of G. S. 105-125 and the third paragraph of G. S. 105-212 are each amended by deleting the phrase "the provisions of United States Code Annotated Title 26, section 851," and inserting in lieu thereof the phrase "section 851 of the Code";

and are further amended by deleting the phrase "United States Code Annotated Title 26, section 856," and inserting in lieu thereof the phrase "section 856 of the Code".

Sec. 68. G. S. 105-130.2 is amended by inserting a new subdivision (1) to read as follows and by renumbering the current subdivisions accordingly:

"(1) 'Code' means the Internal Revenue Code as enacted as of April 1, 1983, and includes any provisions enacted as of that date which become effective after that date."

Sec. 69. The first paragraph of G. S. 105-130.3 is amended by deleting the phrase "Internal Revenue Code in effect on January 1, 1981," and inserting in lieu thereof the word "Code".

Sec. 70. G. S. 105-130.5(a) (8), 105-130.5(b) (6), and 105-130.5(b) (12) are each amended by deleting the phrase "for federal income tax purposes" and inserting in lieu thereof the phrase "under the Code".

Sec. 71. G. S. 105-130.5(b) (11) is rewritten to read:

"(11) The amount by which a deduction for an ordinary and necessary business expense was required to be reduced under the Code for federal tax purposes or the amount of such a deduction that was not allowed under the Code because the corporation claimed a federal tax credit against its federal income tax liability for the income year in lieu of a deduction."

Sec. 72. G. S. 105-130.5(b) (14) is amended by inserting between the words "reduced" and "for" the phrase "under the Code"; and is further amended by deleting the words "federal law" and inserting in lieu thereof the words "the Code".

Sec. 73. G. S. 105-130.5(d) is amended by deleting the phrase "for federal income tax purposes under the provisions of section 337 of the Federal Internal Revenue Code of 1954, including amendments, if any" and inserting in lieu thereof the phrase "under section 337 of the Code".

Sec. 74. G. S. 105-130.12 is amended by deleting the phrase "the provisions of United States Code Annotated Title 26, §851," and inserting in lieu thereof the phrase "section 851 of the Code"; and is further amended by deleting the phrase "the provisions of United States Code Annotated Title 26, §856," and inserting in lieu thereof the phrase "section 856 of the Code".

Sec. 75. G. S. 105-135(15) is rewritten to read:

"(15) The word 'Code' means the Internal Revenue Code as enacted as of April 1, 1983, and includes any provisions enacted as of that date which become effective after that date."

Sec. 76. G. S. 105-141(b) (21) is amended by deleting the phrase "Internal Revenue Code of 1954 as amended" and inserting in lieu thereof the phrase "1976 Tax Reform Act".

Sec. 77. The third paragraph of G. S. 105-147(16) is amended by deleting the phrase "for purposes of the Internal Revenue Code of 1954, as amended, or regulations promulgated pursuant thereto" and inserting in lieu thereof the phrase "under the Code".

Sec. 78. G. S. 105-147(20) is amended as follows:

(1) by inserting between the word "Service" and the semicolon following that word, the phrase ", to the extent allowed under the Code"; and

(2) by changing the last semicolon in that subdivision to a period and deleting the remainder of the subdivision.

Sec. 79. G. S. 105-163.1(11) is rewritten to read:

"(11) 'Code' means the Internal Revenue Code as enacted as of April 1, 1983, and includes any provisions enacted as of that date which become effective after that date."

Sec. 80. G. S. 105-212 is amended by adding a new paragraph at the end of that section to read:

"As used in this section, the term 'Code' means the Internal Revenue Code as enacted as of April 1, 1983, and includes any provisions enacted as of that date which become effective after that date."

Sec. 81. The third paragraph of G. S. 105-228.5 is amended by deleting the phrase "United States Internal Revenue Code as now or hereafter amended" and inserting in lieu thereof the phrase "Code as defined in G. S. 105-135(15)".

Sec. 82. The statutes listed below are amended by deleting the following phrases:

(1) "Internal Revenue Code";
(2) "United States Internal Revenue Code";
(3) "Federal Internal Revenue Code of 1954";
(4) "federal Internal Revenue Code";
(5) "1954 Internal Revenue Code";
(6) "Internal Revenue Code of 1954 as amended";
(7) "Internal Revenue Code of 1954, as amended";
(8) "Internal Revenue Code of 1954, as amended,";
(9) "Internal Revenue Code of 1954, or subsequent acts and amendments"; or
(10) "Internal Revenue Code of 1954, or subsequent acts and amendments,"

each time they appear in the listed statutes and inserting in lieu thereof the word "Code":

G. S. 105-3(6)
G. S. 105-7
G. S. 105-7.1
G. S. 105-130.2(3)
G. S. 105-130.5(a) (3)
G. S. 105-130.5(a) (5)
G. S. 105-130.5(a) (6)
G. S. 105-130.5(a) (7)
G. S. 105-130.5(b) (7)
G. S. 105-130.5(b) (8)
G. S. 105-130.5(b) (9)
G. S. 105-130.5(b) (13) d.2.
G. S. 105-130.5(b) (13) d.5.
G. S. 105-130.5(e)
G. S. 105-130.9(1)
G. S. 105-130.13
G. S. 105-130.15(b) (1)
G. S. 105-135(5)
G. S. 105-141(a) (20)
G. S. 105-141(b) (9) a.
G. S. 105-141(b) (10)
G. S. 105-141(b) (11)
G. S. 105-141(b) (17)
G. S. 105-141(b) (19)

G. S. 105-141(b) (22)
G. S. 105-141(b) (23)
G. S. 105-141(b) (26) d.
G. S. 105-141(b) (27)
G. S. 105-141.2
G. S. 105-142(b) (1)
G. S. 105-142(d)
G. S. 105-142(e)
G. S. 105-142(f) (6)
G. S. 105-144(b)
G. S. 105-144(c) (3)
G. S. 105-144.1(g)
G. S. 105-144.2(d) (2) b.
G. S. 105-144.2(i)
G. S. 105-145(e)
G. S. 105-147(1) c.
G. S. 105-147(1) e.
G. S. 105-147(7)
G. S. 105-147(8)
G. S. 105-147(12)
G. S. 105-147(13) c.
G. S. 105-147(20)
G. S. 105-161(d) (4) a.
G. S. 105-161(f) (1) c.
G. S. 105-163(c)
G. S. 105-163.1(6) e. 1.
G. S. 105-163.1(6) e. 2.
G. S. 105-212

Sec. 83. G. S. 105-130.5(a) is amended by adding a new subdivision to read:

"(11) The amount by which the percentage depletion allowance allowed by Sections 613 and 613A of the Code for mines, oil and gas wells, and other natural deposits exceeds the cost depletion allowance for these items under the Code, except as otherwise provided herein. This subdivision does not apply to depletion deductions for clay, gravel, phosphate rock, lime, shells, stone, sand, feldspar, gemstones, mica, talc, lithium compounds, tungsten, coal, peat, olivine, pyrophyllite, and other solid minerals or rare earths extracted from the soil or waters of this State. Corporations required to apportion income to North Carolina shall first add to federal taxable income the amount of all percentage depletion in excess of cost depletion that was subtracted from the corporation's gross income in computing its federal income taxes and shall then subtract from the taxable income apportioned to North Carolina the amount by which the percentage depletion allowance allowed by Sections 613 and 613A of the Code for solid minerals or rare earths extracted from the soil or waters of this State exceeds the cost depletion allowance for these items."

Sec. 84. G. S. 105-147(12) is rewritten to read:

"(12) Except as provided in this subdivision, an allowance for depreciation and obsolescence of property and an allowance for depletion of mines, oil and gas wells, other natural deposits, and timber to the extent allowed under the Code. When the basis of property differs for State and federal purposes, this difference shall be taken into consideration in determining the depreciation, obsolescence, or depletion allowed under this subdivision.

A taxpayer may deduct as depletion only the amount allowed as a cost depletion allowance for mines, oil and gas wells, and other natural deposits under the Code instead of the amount allowed as a percentage depletion allowance for these items under the Code. This paragraph does not apply to depletion deductions for clay, gravel, phosphate rock, lime, shells, stone, sand, feldspar, gemstones, mica, talc, lithium compounds, tungsten, coal, peat, olivine, pyrophyllite, and other solid minerals or rare earths extracted from the soil or waters of this State."

Sec. 85. G. S. 105-141(b) (28) is repealed.

Sec. 86. Article 4B of Chapter 105 is rewritten to read:

"Article 4B.

"Filing of Declarations of Estimated Income Tax and Installment Payments of Estimated Income Tax by Corporations.

"§ 105-163.25. **Definitions.** — As used in this Article, unless the context requires otherwise:

(1) 'Corporation' means a corporation that has a reasonably estimated tax liability of at least five thousand dollars ($5,000). The term 'corporation' includes joint-stock companies or associations that meet these requirements.

(2) 'Estimated tax' means the amount of income tax the corporation estimates as the amount imposed by Article 4 for the taxable year. The appropriate percentage of estimated tax payable during the taxable year shall be determined by the following table:

For Taxable Years Beginning On and After:	Percentages
June 25, 1983, and before June 25, 1984	25%
June 25, 1984 and before June 25, 1985	50%
June 25, 1985, and before June 25, 1986	75%
June 25, 1986	100%

(3) 'Fiscal year' means an accounting period of 12 months ending on the last day of any month other than December.

(4) 'Secretary' means the Secretary of Revenue.

(5) 'Taxable year' means the calendar year or fiscal year used as a basis to determine net income under Article 4. If no fiscal year has been established, 'fiscal year' means the calendar year. In the case of a return made for a fractional part of the year under Article 4, or under rules prescribed by the Secretary, 'taxable year' means the period for which the return is made.

"§ 105-163.26. **Declarations of estimated income tax required.** — (a) Declaration Required. Every corporation subject to taxation under Article 4 shall submit a declaration of estimated tax to the Secretary. This declaration is due at the time established in G. S. 105-163.27, and payment of the estimated tax is due at the time and in the manner prescribed in that section.

(b) Content. In the declaration of estimated tax, the corporation shall state its estimated total net income from all sources for the taxable year, the proportion of its total net income allocable to this State, its estimated tax, and any other information required by the Secretary.

(c) Amendments to Declaration. Under rules prescribed by the Secretary, a corporation may amend a declaration of estimated tax.

"§ 105-163.27. **Time for submitting declaration; time and method for paying estimated tax. —** (a) Due Dates of Declarations. Declarations of estimated tax are due at the same time as the corporation's first installment payment. Installment payments are due as follows:

(1) If, before the 1st day of the 4th month of the taxable year, the corporation's estimated tax equals or exceeds five thousand dollars ($5,000), the corporation shall pay the estimated tax in four equal installments on or before the 15th day of the 4th, 6th, 9th, and 12th months of the taxable year.

(2) If, after the last day of the 3rd month and before the 1st day of the 6th month of the taxable year, the corporation's estimated tax equals or exceeds five thousand dollars ($5,000), the corporation shall pay the estimated tax in three equal installments on or before the 15th day of the 6th, 9th and 12th months of the taxable year.

(3) If, after the last day of the 5th month and before the 1st day of the 9th month of the taxable year, the corporation's estimated tax equals or exceeds five thousand dollars ($5,000), the corporation shall pay the estimated tax in two equal installments on or before the 15th day of the 9th and 12th months.

(4) If, after the last day of the 8th month and before the 1st day of the 12th month of the taxable year, the corporation's estimated tax equals or exceeds five thousand dollars ($5,000), the corporation shall pay the estimated tax on or before the 15th day of the 12th month of the taxable year.

(b) Payment of Estimated Tax When Declaration Amended. When a corporation submits an amended declaration after making one or more installment payments on its estimated tax, the amount of each remaining installment shall be the amount that would have been payable if the estimate in the amended declaration was the original estimate, increased and decreased as appropriate by the amount computed by dividing:

(1) The absolute value of the difference between:
   a. The amount paid and
   b. The amount that would have been paid if the estimate in the amended declaration was the original estimate by

(2) The number of remaining installments.

(c) Short Taxable Year. Payment of estimated tax for taxable years of less than 12 months shall be made in accordance with rules promulgated by the Secretary.

"§ 105-163.28. **Penalty for underpayment. —** (a) Except as provided in subsection (d), if the amount of estimated tax paid by a corporation during the taxable year is less than the amount of tax imposed upon the corporation under Article 4 for the taxable year, the corporation shall be assessed an additional tax as a penalty in an amount determined by multiplying the amount of the underpayment as determined under subsection (b), for the period of the underpayment as determined under subsection (c), by the percentage established as the rate of interest on assessments under G. S. 105-241.1(i) that is in effect for the period of the underpayment.

(b) The amount of the underpayment shall be the difference between:

(1) the amount of the installment the corporation would have been required to pay if the corporation's estimated tax equalled eighty percent (80%) of the tax imposed under Article 4 for the taxable year, assuming the same schedule of installments, or

eighty percent (80%) of the tax imposed for the taxable year if the corporation made no installment payments; and

(2) the amount, if any, of the corresponding installment timely paid by the corporation.

(c) The period of the underpayment shall run from the date the installment was required to be paid to the earlier of:

(1) the 15th day of the 3rd month following the close of the taxable year, or

(2) with respect to any portion of the underpayment, the date on which the portion is paid. An installment payment of estimated tax shall be considered a payment of any previous underpayment only to the extent the payment exceeds the amount of the installment determined under subdivision (1) of subsection (b) for that installment date.

(d) The penalty for underpayment shall not be imposed if the total amount of all payments of estimated tax made on or before the last date prescribed for the payment of the installments equals or exceeds the amount that would have been required to be paid on or before that date if the estimated tax was equal to the least of:

(1) the tax shown on the return of the corporation for the preceding taxable year, if the corporation filed a return for the preceding taxable year and the preceding year was a taxable year of 12 months;

(2) an amount equal to the tax computed at the rates applicable to the taxable year but otherwise on the basis of the facts shown on the return of the corporation for, and the law applicable to, the preceding taxable year; or

(3) an amount equal to eighty percent (80%) of the tax for the taxable year computed by placing on an annualized basis the taxable income:

a. for the first three months of the taxable year, in the case of the installment required to be paid in the 4th month;

b. for the first three months or for the first five months of the taxable year, in the case of the installment required to be paid in the 6th month;

c. for the first six months or for the first eight months of the taxable year, in the case of the installment required to be paid in the 9th month; and

d. for the first nine months or for the first 11 months of the taxable year, in the case of the installment required to be paid in the 12th month of the taxable year.

(4) For purposes of this subdivision, the taxable income shall be placed on an annualized basis by multiplying by 12 the taxable income referred to in the preceding sentence, and dividing the resulting amount by the number of months in the taxable year (3, 5, 6, 8, 9, or 11 as the case may be) referred to in that sentence.

"§ 105-163.29. **Filing of declarations and other returns. —** The declarations, amended declarations, or any information returns required under the provisions of this Article from any corporation shall be signed by its president, vice-president, treasurer, assistant treasurer, secretary, or assistant secretary. If a receiver, trustee in bankruptcy, or assignee, by order of a court of competent jurisdiction or by operation of law or otherwise, has possession of or holds title to all or substantially all of the property or business of a corporation, whether or not the property or business is being operated, the receiver, trustee, or assignee shall make and sign the declarations, amended declarations, or any information returns for the corporation in the same manner and form as required of the corporation.

"§ 105-163.30. **Overpayment refunded.** — Any overpayment of estimated tax shall be credited to the taxpayer and applied to the tax imposed upon the taxpayer by Article 4. The Secretary shall not refund any overpayment before the corporation files its annual return. If, upon examining the annual return, the Secretary finds that the estimated tax paid by the corporation exceeds the amount of tax imposed upon the corporation under Article 4, the Secretary shall refund the amount of the overpayment in accordance with the provisions of Article 9.

"§ 105-163.31. **Willful failure to pay estimated tax.** — Any person required by this Article to pay any estimated tax who willfully fails to pay the estimated tax at the time or times required by law or rules shall, in addition to other penalties provided by law, be guilty of a misdemeanor and, upon conviction thereof, shall be punishable by a fine not to exceed five hundred dollars ($500.00) or by imprisonment not to exceed six months, or both."

Part VI. Sales and Use Taxes; Salvage Vehicle Changes.

Sec. 87. The first sentence of G. S. 105-164.3(15) is amended by inserting between the words "lease," and "or" the phrase "license to use or consume,".

Sec. 88. G. S. 105-164.3(20) is amended by adding the following at the end of the subdivision:

"The term includes all 'canned' or prewritten computer programs, either in the form of written procedures or in the form of storage media on which or in which the program is recorded, held, or existing for general or repeated sale, lease, or license to use or consume. The term does not include the design, development, writing, translation, fabrication, lease, license to use or consume, or transfer for a consideration of title or possession of a custom computer program, other than a basic operational program, either in the form of written procedures or in the form of storage media on which or in which the program is recorded, or any required documentation or manuals designed to facilitate the use of the custom computer program.

As used in this subdivision:

a. 'Basic operational program' or 'control program' means a computer program that is fundamental and necessary to the functioning of a computer. A basic operational program is that part of an operating system, including supervisors, monitors, executives, and control or master programs, which consists of the control program elements of that system. A control or master program, as opposed to a processing program, controls the operation of a computer by managing the allocation of all system resources, including the central processing unit, main storage, input/output devices, and processing programs. A processing program is used to develop and implement the specific applications the computer is to perform.

b. 'Computer program' means the complete plan for the solution of a problem, such as the complete sequence of automatic data-processing equipment instructions necessary to solve a problem, and includes both systems and application programs and subdivisions, such as assemblers, compliers, routines, generators, and utility programs.

c. 'Custom computer program' means a computer program prepared to the special order of the customer. Custom computer programs include one of the following elements:

1. Preparation or selection of the programs for the customer's use requires an analysis of the customer's requirements by the vendor; or

2. The program requires adaptation by the vendor to be used in a particular make and model of computer utilizing a specified output device.

d. 'Storage media' means punched cards, tapes, disks, diskettes, or drums."

Sec. 89. G. S. 105-164.4(1) is amended as follows:

(1) by deleting the phrase "one hundred twenty dollars ($120.00)" in the first paragraph of that subdivision and inserting in lieu thereof the phrase "three hundred dollars ($300.00);" and

(2) by deleting the third paragraph of that subdivision and inserting the following paragraphs in lieu thereof:

"Notwithstanding G. S. 105-164.3(16), the sales price of a motor vehicle is the gross sales price of the motor vehicle less any allowance given for a motor vehicle taken in trade as part of the consideration for the purchased motor vehicle.

The tax levied under this section applies to all retail sales of motor vehicles, regardless whether the seller is engaged in business as a retailer of motor vehicles and regardless whether a tax has previously been paid under this Article with respect to the vehicle. Purchasers of motor vehicles from sellers who are not retailers are liable for payment of the tax. These purchasers shall pay the tax to the Commissioner of Motor Vehicles when applying for a certificate of title, registration, or registration plate for the vehicle. The sales price of a motor vehicle purchased from a seller who is not a retailer is considered to be either the standard value for the year, make, and model of that vehicle as established in schedules of value adopted by the Secretary or the amount paid by the purchaser for that vehicle, whichever is greater, provided the seller does not take a motor vehicle in trade as part of the purchase price. If the seller takes a motor vehicle in trade as part of the purchase price, the sales price of the motor vehicle sold is considered to be the difference in the standard value of the sold vehicle and the traded-in vehicle or the net amount paid by the purchaser, whichever is greater.

Every retail dealer of motor vehicles who sells a motor vehicle shall, when applying for a transfer of title for that vehicle, certify to the Commissioner of Motor Vehicles that he has collected the sales tax due on the sale of that vehicle and will remit the tax to the Secretary, and shall report the following information to the Commissioner:

(1) his name;

(2) the name of the purchaser; and

(3) the make and serial number of the vehicle sold.

The Commissioner of Motor Vehicles shall prepare forms to be used by retailers to make the certification and report required by this subsection. A retail dealer of motor vehicles who transfers a motor vehicle to another person by means other than a retail sale shall state on the certification form that no tax is due on the transfer of the motor vehicle because the transfer is not a retail sale.

No certificate of title, registration, or registration plate, shall be issued for any motor vehicle transferred pursuant to a retail sale unless the tax levied under this section is paid when application is made for transfer of title or the retailer who sold the vehicle makes the required certification and report when applying for transfer of title. The Commissioner of Motor Vehicles shall remit taxes collected by him under this subsection to the Secretary.

Persons who lease or rent motor vehicles shall collect and remit the tax imposed by this

Article on the separate retail sale of a motor vehicle in addition to the tax imposed on the proceeds from the lease or rental of the motor vehicle."

Sec. 90. G. S. 105-164.6(3a) is amended as follows:

(1) by rewriting the first two sentences of that subdivision to read:

"Every person, firm, or corporation that purchases or acquires a motor vehicle shall pay a tax at the rate of two percent (2%) of the sales or purchase price of the vehicle, as determined in accordance with G. S. 105-164.4(1), not to exceed three hundred dollars ($300.00) per vehicle. This tax shall be paid to the Commissioner of Motor Vehicles when applying for a certificate of title or registration plate for the vehicle. A purchaser who furnishes to the Commissioner of Motor Vehicles a certificate from a retailer of motor vehicles engaged in business in this State stating that the purchaser has paid the tax levied on the vehicle by this Article to the retailer is relieved of liability for the tax.";

(2) by adding a new sentence at the end of the first paragraph to read: "The Commissioner of Motor Vehicles shall remit use taxes collected by him under this subdivision to the Secretary."; and

(3) by deleting the second paragraph of the subdivision and inserting the following paragraphs in lieu thereof:

"The tax levied under this section applies to all owners of motor vehicles, regardless whether the owner purchased or acquired the vehicle from a retailer of motor vehicles and regardless whether a tax has previously been paid under this Article with respect to the vehicle. The sales price of a motor vehicle acquired from a person who is not a retailer shall be determined in accordance with G. S. 105-164.4(1).

Persons who lease or rent motor vehicles shall collect and remit the tax imposed by this Article on the separate retail sale of a motor vehicle in addition to the tax imposed on the proceeds from the lease or rental of the motor vehicle."

Sec. 91. G. S. 105-164.13(16) is amended by inserting after the word "articles" the first time and the last time it appears in that subdivision the phrase "other than motor vehicles".

Sec. 92. G. S. 105-164.13(32) is amended by adding a new sentence at the end thereof to read:

"For sales made by a seller who is not a retailer, this exemption applies if the purchaser furnishes the Secretary an affidavit containing the information otherwise required from a retailer within 45 days of the date of the sale."

Sec. 93. G. S. 105-164.4(3) is rewritten to read:

"(3) Operators of hotels, motels, tourist homes, tourist camps, and similar type businesses and persons who rent private residences and cottages to transients are considered retailers under this Article. There is levied upon every such retailer a tax of three percent (3%) of the gross receipts derived from the rental of any room or rooms, lodgings, or accommodations furnished to transients for a consideration. This tax does not apply to any private residence or cottage that is rented for less than 15 days in a calendar year or to any room, lodging, or accommodation supplied to the same person for a period of 90 or more continuous days.

As used in this subdivision, the term 'persons who rent to transients' means (i) owners of private residences and cottages who rent to transients and (ii) rental agents, including 'real estate brokers' as defined in G. S. 93A-2, who rent private residences and cottages to

transients on behalf of the owners. If a rental agent is liable for the tax imposed by this subdivision, the owner is not liable."

Sec. 94. G. S. 20-109.1 is amended as follows:

(1) by adding a new sentence at the end of subsection (d) to read:

"In addition to these criminal penalties, any person who violates this section is subject to a civil penalty of up to one hundred dollars ($100.00), to be imposed in the discretion of the Commissioner."; and

(2) by adding a new subsection to read:

"(e) The Commissioner shall charge a fee of ten dollars ($10.00) for issuing a title or forms as required by this section."

Sec. 95. G. S. 105-164.44A is rewritten to read:

"§ 105-164.44A. **Tax on motor vehicle items transferred to Highway Fund.** — Sales and use taxes collected on motor vehicle items and accessories shall be transferred from the General Fund to the Highway Fund as follows:

On a quarterly basis during the fiscal year ending June 30, 1984, the State Treasurer shall transfer from the General Fund to the Highway Fund the amount of twenty-five million eight hundred thousand dollars ($25,800,000), which represents fifteen percent (15%) of the estimated 1983-84 fiscal year sales and use tax collections from motor vehicles, motor vehicle parts, supplies, and accessories, and other transportation items. The quarterly transfers required by this section shall be made during September, December, March, and June of the fiscal year."

Part VII. Certificate-of-Need Fees.

Sec. 96. G. S. 131-177 is amended as follows:

(1) by changing the period at the end of subdivision (9) to a semicolon and adding the word "and"; and

(2) by adding a new subdivision to read:

"(10) Establish and collect fees for submitting applications for certificates-of-need, which fees shall be based on the total cost of the project for which the applicant is applying. This fee may not exceed fifteen thousand dollars ($15,000) and may not be less than four hundred dollars ($400.00)."

Sec. 97. G. s. 131-180 is amended by adding a new subsection to read:

"(c) All fees established by the Department for submitting an application for a certificate-of-need are due when the application is submitted. These fees are not refundable, regardless whether a certificate-of-need is issued."

Part VIII. Video Game Privilege License Tax.

Sec. 98. G. S. 105-66(b) is rewritten to read:

"The tax imposed under this section does not apply to machines and other devices licensed under G. S. 105-64, 105-65, or 105-66.1."

Sec. 99. Article 2 of Chapter 105 is amended by adding a new section to read:

"§ 105-66.1 **Electronic video games.** — (a) Every person, firm, or corporation engaged

in the business of owning or operating machines that play electronic video games when a coin or other thing of value is deposited in the machine shall obtain from the Secretary of Revenue a statewide license for each machine owned or operated and shall pay a tax of fifteen dollars ($15.00) for each license. An application for a license shall include the serial number of the machine operated. The licensee shall attach the license to the machine in a conspicuous place. No person may allow an unlicensed video game machine in a place of business occupied by that person. Licenses issued under this section are not transferable from one machine to another. The Secretary may seize any machine not licensed in accordance with this section and may hold the machine until it is duly licensed. All machines licensed under this section shall have a counter that records the number of games played or the amount of money deposited in the machine, or both.

(b) As used in this section, a person, firm, or corporation is 'engaged in the business of owning an electronic video game machine' if he owns the machine and locates it in his own place of business; and a person, firm, or corporation is 'engaged in the business of operating an electronic video game machine' if he locates, exhibits, displays, or permits to be exhibited or displayed an electronic video game machine in a place of business other than his own.

(c) Counties, cities, and towns may levy a tax, not to exceed five dollars ($5.00) per machine, on the business taxed under this section."

Part IX. Alcoholic Beverage Fees and Taxes.

Sec. 100. G. S. 18B-804)b) is amended by adding a new subdivision to read:

"(6a) An additional bottle charge for local boards of one cent (1¢) on each bottle containing 50 milliliters or less and five cents (5¢) on each bottle containing more than 50 milliliters."

Sec. 101. G. S. 18B-804(b) (8) is amended by deleting the phrase "ten dollars ($10.00)" and substituting the phrase "fifteen dollars ($15.00)".

Sec. 102. G. S. 18B-805(b) (2) is amended by adding a new stentence to read: "In addition to the taxes levied under Chapter 105 of the General Statutes, the local board shall pay to the Department one third of the mixed beverages surcharge required by G. S. 18B-804(b) (8)."

Sec. 103. G. S. 18B-805(b) (3) is amended by deleting the phrase "ten percent (10%)" and substituting the phrase "six and two-thirds percent (6⅔%)".

Sec. 104. G. S. 18B-805(c) (1) is amended by inserting between the citation "18B-804(b) (5)" and the comma the phrase "and the bottle charge provided for in G. S. 18B-804(b) (6a)".

Sec. 105. G. S. 18B-902(d) (10) is rewritten to read:

"(10) Mixed beverages permit — $750.00."

Sec. 106. G. S. 18B-903(b) is amended by deleting the phrase "fifty percent (50%) of the original fee" and substituting the phrase "five hundred dollars ($500.00)".

Sec. 107. G. S. 105-113.86(a) (2) is amended by deleting the last sentence of that subdivision.

Sec. 108. G. S. 105-113.86(p) is amended in the first sentence by deleting the phrase "subsection (a)" and substituting the phrase "subdivision (a)(1)".

Part X. Effective Dates.

Sec. 109. Part i of this act shall become effective August 1, 1983, and shall apply to all actions initiated on and after that date. Part II shall become effective August 1, 1983, except that Sections 50 and 51 do not apply during the entire 1983 Session to any person registered under Article 9a of Chapter 120 of the General Statutes for the 1983 Session who registered before ratification of this act. Part III is effective upon ratification. Sections 54-60 of Part IV shall become effective January 1, 1984; Section 61 of Part IV shall become effective September 1, 1983, and shall apply to registrations issued on or after that date. Sections 62-85 of Part V are effective for taxable years beginning on or after January 1, 1983; Section 86 of Part V applies to taxable years beginning on or after June 25, 1983. Sections 87-94 of Part VI shall become effective August 1, 1983; Section 95 of Part VI is effective upon ratification. Part VII of this act is effective upon ratification and applies to applications receivd or processed on or after that date. Applicants for a certificate-of-need whose application was submitted but not processed as of the effective date of this act shall remit the fee imposed by this act within 10 days of notification by the Secretary of Human Resources of the amount of the fee. Part VIII shall become effective July 1, 1984. Part IX shall become effective August 1, 1983, except that Sections 105 and 106 shall become effective May 1, 1984.

To this end, the conferees recommend that the Senate and the House of Representatives adopt the foregoing report.

This the 6th day of July, 1983.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ Marshall A. Rauch	S/ Dwight W. Quinn
S/ Conrad R. Duncan, Jr.	S/ J. Allen Adams
S/ Harold W. Hardison	S/ Allen C. Barbee
S/ J. J. Harrington	S/ J. L. Mavretic
S/ Ollie Harris	S/ George W. Miller, Jr.
S/ W. Craig Lawing	S/ William T. Watkins
S/ Kenneth C. Royall, Jr.	S/ Dennis A. Wicker

CALENDAR

Action is taken on the following:

H. B. 1260, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CONFORMING CHANGES IN THE RAPE INDICTMENT STATUTE AS A RESULT OF CHAPTER 175 OF THE SESSION LAWS OF 1983.

On motion of Representative Lancaster, the House does not concur in the Senate amendment and requests conferees.

The Speaker announces the appointment of Representatives Lancaster, Blue, and Holt as conferees and the Senate is so notified by Special Message.

H. B. 1302, A BILL TO BE ENTITLED AN ACT TO PERMIT CERTAIN EMPLOYEES OF THE CHARLOTTE FIRE DEPARTMENT TO PURCHASE CREDIT IN THE CHARLOTTE FIREMEN'S RETIREMENT SYSTEM FOR PRIOR SERVICE AS FIRE OFFICERS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S. B. 384, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOCAL BOARDS OF EDUCATION IN AVERY AND WATAUGA COUNTIES TO SCHEDULE LONGER SCHOOL DAYS SO AS TO OFFSET DAYS LOST DUE TO INCLEMENT WEATHER, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for H. B. 322, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DEPARTMENT OF HUMAN RESOURCES TO DESIGNATE GEOGRAPHIC AREAS WITHIN WHICH A SOLID WASTE MANAGEMENT PLAN WILL PROVIDE FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE; REQUIRING WASTE GENERATED WITHIN SAID AREAS TO BE DISPOSED OF AT PERMITTED SOLID WASTE MANAGEMENT FACILITIES; AUTHORIZING CITIES AND COUNTIES TO EVALUATE PROPOSALS AND NEGOTIATE CONTRACTS ON THE BASIS OF FACTORS OTHER THAN PRICE ALONE; AND EXPANDING THE POWERS OF MUNICIPALITIES WITH RESPECT TO THE ISSUANCE OF REVENUE BONDS FOR SYSTEMS, FACILITIES AND EQUIPMENT FOR THE COLLECTION, TREATMENT OR DISPOSAL OF SOLID WASTE, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message by a two-thirds majority vote.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barbee, Barker, Beall, Beam, Beard, Blue, Bowen, Brannan, Brennan, Brown, Brubaker, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gillam, Gist, Greenwood, Grimsley, Hackney, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, J. Hughes, Hunt, Jarrell, Jones, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Rabon, Redding, Rhodes, Roberts, Seymour, Slaughter, Sparrow, Spaulding, Stamey, Tennille, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 97.

Voting in the negative: Representatives Brawley, Diamont, Hasty, C. Hughes, and Robinson — 5.

Excused absences: Representatives James, Jeralds, and Thomas — 3.

H. B. 1040, A BILL TO BE ENTITLED AN ACT TO INCREASE EXAMINATION AND LICENSE FEES FOR INSURANCE AGENTS, ADJUSTERS, APPRAISERS, BROKERS, AND COMPANIES; BAIL BONDSMEN AND RUNNERS; COLLECTION AGENCIES; AND MOTOR CLUBS.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Auman, Ballance, Barbee, Barker, Beall, Beam, Beard, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Burnley, Chapin, Childress, Church, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Economos, Edwards, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, J. Hughes, Jarrell, Jones, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Nash, Nesbitt, Payne,

Pool, Poovey, Pulley, Rabon, Roberts, Robinson, Seymour, Slaughter, Sparrow, Spaulding, Stamey, Tennille, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 90.

Voting in the negative: Representatives Allran, Brubaker, Cochrane, C. Hughes, Redding, and Rhodes — 6.

Excused absences: Representatives James, Jeralds, and Thomas — 3.

House Committee Substitute for S. B. 553, A BILL TO BE ENTITLED AN ACT SETTING STANDARDS FOR QUALIFICATION, TRAINING AND EXPERIENCE FOR PERSONS SEEKING TO REPRESENT THEMSELVES TO THE PUBLIC AS REGISTERED PRACTICING COUNSELORS: CREATING A STATE BOARD OF EXAMINERS FOR PRACTICING COUNSELORS: DEFINING THE FUNCTIONS AND DUTIES OF THAT BOARD: AND PROVIDING FOR PENALTIES.

Representative Helms offers Amendment No. 1 which is adopted. This amendment changes the title.

Representative Miller offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Auman, Barbee, Barker, Berry, Blue, Bowen, Brannan, Brennan, Brubaker, Chapin, Childress, Church, Coble, Colton, N. J. Crawford, Easterling, Economos, Enloe, Bruce Ethridge, Fenner, Fletcher, Foster, Fulcher, Fussell, Gist, Greenwood, Grimsley, Hasty, Hauser, Hayden, Helms, Hudson, Hunt, Hunter, Huskins, Jarrell, Jones, Keesee, Lambeth, Lancaster, Lilley, Lutz, McAlister, McDowell, Mauney, Mavretic, Murphy, Musselwhite, Nesbitt, Owens, Payne, Pool, Poovey, Quinn, Rabon, Redding, Seymour, Spoon, Stamey, Tennille, Tyndall, Tyson, Varner, Warren, Womble, B. Woodard, C. Woodard, and Wright — 70.

Voting in the negative: Representatives Anderson, Ballance, Barnes, Beam, Brawley, Brown, Bumgardner, Burnley, Cochrane, J. W. Crawford, Creecy, DeVane, Diamont, Edwards, Evans, Gentry, Hackney, Hightower, Holmes, C. Hughes, J. Hughes, Kennedy, Lacey, Lee, Locks, Matthews, Miller, Nash, Pulley, Rhodes, Roberts, Robinson, Slaughter, Sparrow, Spaulding, and Wicker — 36.

Excused absences: Representatives James, Jeralds, and Thomas — 3.

S. B. 621, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 85B, RELATING TO AUCTIONS AND AUCTIONEERS.

On motion of Representative Church, consideration of the bill is postponed until July 7, 1983.

Representative Barbee presiding.

S. B. 429, A BILL TO BE ENTITLED AN ACT TO PROVIDE PAYMENT FOR ATTORNEYS OR GUARDIANS AD LITEM FOR CERTAIN PERSONS.

On motion of Representative Ballance, Committee Amendment No. 2 is adopted by electronic vote (84-1).

Representative Blue offers Amendment No. 3 which is adopted by electronic vote (55-43).

The bill, as amended, passes its third reading, by electronic vote (88-9), and is ordered sent to the Senate for concurrence in House amendments.

Representative Blue moves that the vote by which the bill passed its third reading be reconsidered and this motion carries.

Representative Blue offers Amendment No. 4 which fails of adoption by electronic vote (31-62).

Representative Wright moves that the vote by which Amendment No. 3 was adopted be reconsidered and this motion carries.

Representative Blue withdraws Amendment No. 3.

The Speaker presiding.

Representative Blue moves that the bill be re-referred to the Committee on Judiciary No. 3.

On motion of Representative Pulley, seconded by Representative Lancaster, the motion by Representative Blue to re-refer the bill is tabled by electronic vote (61-34).

Representative Pulley calls the previous question on the passage of the bill and the call is sustained.

The bill passes its third reading, by electronic vote (81-18), and is ordered sent to the Senate for concurrence in House amendments.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 6, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body that pursuant to your request for the return of Senate Committee Substitute for S. B. 209, A BILL TO BE ENTITLED AN ACT TO AMEND THE MOTOR VEHICLE LAWS IN CHAPTER 20 OF THE GENERAL STATUTES TO CONFORM TRUCK WEIGHTS ON STATE HIGHWAYS TO THE FEDERAL BRIDGE FORMULA AND TO UPDATE THE STATUTE BY MAKING OTHER CHANGES, the Senate conferees have been dismissed and your request is acknowledged, and we herewith comply.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

Representative Bumgardner moves that the vote by which Committee Substitute for S. B. 209, A BILL TO BE ENTITLED AN ACT TO AMEND THE MOTOR VEHICLE LAWS IN CHAPTER 20 OF THE GENERAL STATUTES TO CONFORM TRUCK WEIGHTS ON STATE HIGHWAYS TO THE FEDERAL BRIDGE FORMULA AND TO UPDATE THE STATUTE BY MAKING OTHER CHANGES, passed its third reading be reconsidered and this motion carries by a two-thirds majority vote.

Representative Bumgardner offers Amendment No. 4 which is adopted by electronic vote (93-2).

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House amendments.

Those voting in the affirmative are: Representatives Allran, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Brannan, Brawley, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Cochrane, Colton, J. W. Crawford, N. J. Crawford, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Fulcher, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Helms, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunt, Hunter, Huskins, Jarrell, Jones, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Sparrow, Spaulding, Stamey, Tennille, Tyndall, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 99.

Voting in the negative: None.

Excused absences: Representatives James, Jeralds, and Thomas — 3.

Committee Substitute for H. B. 179, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 50 OF THE GENERAL STATUTES TO ESTABLISH PROCEDURES TO INSURE PAYMENT OF CHILD SUPPORT.

On motion of Representative Hackney, consideration of the bill is postponed indefinitely by electronic vote (89-5).

H. B. 1363, A BILL TO BE ENTITLED AN ACT TO ABOLISH CERTAIN COMMITTEES AND COMMISSIONS UNDER THE DEPARTMENT OF CULTURAL RESOURCES.

Representative Adams requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

On motion of Representative Colton, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading by electronic vote (88-1).

Representative Church objects to the third reading. The bill remains on the Calendar.

H. B. 1394, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN FORECLOSURE SALES, passes its second reading, by electronic vote (94-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 1366, A BILL TO BE ENTITLED AN ACT TO AMEND THE RULE REGARDING DEPOSITIONS UPON ORAL EXAMINATION.

On motion of Representative Wright, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (89-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 1400, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROVISIONS OF THE FAIR EMPLOYMENT AND DISMISSAL ACT, passes its second reading, by electronic vote (90-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

S. B. 14, A BILL TO BE ENTITLED AN ACT TO ELIMINATE MANDATORY RETIREMENT AT AGE 70 FOR PERSONS COVERED UNDER THE STATE EMPLOYEES OR LOCAL GOVERNMENT EMPLOYEES RETIREMENT SYSTEM.

On motion of Representative Economos, Committee Amendment No. 1 is adopted by electronic vote (55-30).

The bill, as amended, passes its second reading by electronic vote (64-30).

Representative Coble objects to the third reading. The bill remains on the Calendar.

S. B. 217, A BILL TO BE ENTITLED AN ACT TO PERMIT MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM TO PURCHASE CREDITABLE SERVICE FOR TEMPORARY STATE EMPLOYMENT BY PAYING AN AMOUNT EQUAL TO THE FULL ACTUARIAL LIABILITY.

On motion of Representative Foster, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (97-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

S. B. 490, A BILL TO BE ENTITLED AN ACT TO PERMIT DEDUCTION OF CERTAIN EMPLOYEE CONTRIBUTIONS TO QUALIFIED RETIREMENT PLANS, passes its second reading, by electronic vote (84-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 618, A BILL TO BE ENTITLED AN ACT TO GIVE THE CITY OF EDEN AUTHORITY TO ABOLISH THE CITY OF EDEN EMPLOYEES' RETIREMENT SYSTEM UPON TRANSFER OF EMPLOYEES TO THE NORTH CAROLINA LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.

On motion of Representative Holt, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (88-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 5, 1983

Mr. Speaker:

Pursuant to your message that the House of Representatives fails to concur in the Senate Committee Substitute for House Committee Substitute for H. B. 767, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 90-108 TO PROHIBIT EMBEZZLEMENT OF CONTROLLED SUBSTANCES BY EMPLOYEES OF PRACTITIONERS AND REGISTRANTS, AND TO PROHIBIT "DOCTOR SHOPPING" AS A MEANS OF FRAUDULENTLY OBTAINING CONTROLLED SUBSTANCES FROM PRACTITIONERS, and requests conferees, the President appoints Senators Soles, Winner, E.

Edwards, and Hancock on the part of the Senate to confer with a like committee on the part of the House to the end that the differences between the two Bodies may be resolved.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 6, 1983

Mr. Speaker:

Pursuant to your message that the House of Representatives fails to concur in the Senate amendments to H. B. 1260, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CONFORMING CHANGES IN THE RAPE INDICTMENT STATUTE AS A RESULT OF CHAPTER 175 OF THE SESSION LAWS OF 1983, and requests conferees, the President appoints Senators Allsbrook, Swain, and Jenkins on the part of the Senate to confer with a like committee on the part of the House to the end that the differences between the two Bodies may be resolved.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 28, AN ACT TO PROVIDE AN UNLIMITED GIFT TAX EXCLUSION FOR CERTAIN EDUCATIONAL AND MEDICAL PAYMENTS.

H. B. 545, AN ACT TO AMEND CHAPTER 25A OF THE GENERAL STATUTES TO CLARIFY CERTAIN TYPES OF "SALE" IN THE RETAIL INSTALLMENT SALES ACT.

H. B. 644, AN ACT TO ALLOW GASTON COUNTY TO REGULATE VEHICLE TOWING BUSINESSES WITHIN THE UNINCORPORATED AREAS OF GASTON COUNTY.

H. B. 654, AN ACT TO ESTABLISH A PROCEDURE FOR REVOKING A CONSENT TO ADOPTION.

H. B. 925, AN ACT TO AMEND G. S. 58-43 RELATING TO NONRESIDENT AGENTS.

H. B. 1006, AN ACT TO REQUIRE DESIGNATED AGENTS TO BE BONDED OR PROVIDE OTHER FORMS OF INDEMNIFICATION FOR AGGRIEVED PERSONS.

H. B. 1076, AN ACT TO INCREASE MINIMUM REQUIREMENT FOR FINANCIAL RESPONSIBILITY PROOF OR SECURITY DEPOSIT REQUIREMENTS TO FIVE HUNDRED DOLLARS.

H. B. 1116, AN ACT TO REQUIRE STATE AGENCIES AND POLITICAL SUBDIVISIONS TO COOPERATE IN EFFORTS TO PROMOTE THE USE OF SMALL,

MINORITY, PHYSICALLY HANDICAPPED AND WOMEN CONTRACTORS IN PUBLIC CONSTRUCTION AND PURCHASING CONTRACTS.

H. B. 1156, AN ACT TO CLASSIFY FOR AD VALOREM TAX PURPOSES CERTAIN REAL PROPERTY OWNED BY NONPROFIT CORPORATIONS ORGANIZED FOR HISTORIC PRSERVATION PURPOSES.

H. B. 1173, AN ACT TO MODIFY THE BURDEN OF PROOF AND PUNISHMENT FOR ALLOWING PRISONERS TO ESCAPE.

H. B. 1215, AN ACT TO CLASSIFY METHAQUALONE AS A SCHEDULE I CONTROLLED SUBSTANCE.

H. B. 1226, AN ACT TO CLARIFY THE TIME WHEN MUNICIPAL ORDINANCES ARE INTRODUCED.

H. B. 1237, AN ACT TO RESTORE THE 1975 LAW ON TERMINATION OF EMPLOYMENT OF A COUNTY SUPERVISOR OF ELECTIONS.

H. B. 1239, AN ACT TO PROVIDE FOR DISPOSAL OF PERSONAL AND OTHER PROPERTY IN CONDEMNED BUILDINGS.

H. B. 1284, AN ACT AUTHORIZING REGISTERS OF DEEDS TO MAINTAIN COMPUTER INDEXES.

S. B. 506, AN ACT TO STRENGTHEN THE ROLE OF POLITICAL PARTIES IN ELECTION FINANCING.

On motion of Representative Hunt, seconded by Representative Pool, the House adjourns to reconvene July 7, 1983 at 1:30 p.m.

ONE HUNDRED TWENTY-SEVENTH DAY

House of Representatives
Thursday, July 7, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Lambeth.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of July 6 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Jordan for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Economos for the Committee on Aging:

H. B. 45, A BILL TO BE ENTITLED AN ACT TO ALLOW AN INCOME TAX DEDUCTION FOR AMOUNTS PAID TO MAINTAIN CERTAIN PARENTS AGED 65 OR OVER, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Finance.

On motion of Representative Economos, Committee Amendment No. 1 is adopted.

On motion of Representative Economos, the bill is ordered engrossed and re-referred to the Committee on Finance.

By Representative Brennan for the Committee on Human Resources:

H. B. 1395, A BILL TO BE ENTITLED AN ACT TO PERMIT CERTAIN GRANTS OF CERTIFICATES OF NEED, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Appropriations.

On motion of Representative Brennan, Committee Amendments Nos. 1 and 2 are adopted.

On motion of Representative Brennan, the bill is ordered engrossed and re-referred to the Committee on Appropriations.

By Representative Bumgardner for the Committee on Transportation:

H. B. 1090, A BILL TO BE ENTITLED AN ACT TO LIMIT THE OPERATION OF TRUCKS WITH TWO TRAILERS TO CERTAIN ROADS IN NORTH CAROLINA, with a favorable report, as amended.

H. B. 1384, A BILL TO BE ENTITLED AN ACT TO RESTRICT THE USE OF THE LIST OF LICENSED DRIVERS TO JURY SELECTION PURPOSES ONLY, with a favorable report.

By Representative Lutz for the Committee on Local Government No. 2:

H. B. 626, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 16, SESSION LAWS OF 1957, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for July 11, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Quinn for the Committee on Finance:

Committee Substitute for H. B. 106, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 39 TO FURTHER EQUALIZE BETWEEN MARRIED PERSONS THE RIGHT TO INCOME, POSSESSION AND CONTROL IN PROPERTY OWNED CONCURRENTLY IN TENANCY BY THE ENTIRETY, with an indefinite postponement report.

H. B. 175, A BILL TO BE ENTITLED AN ACT TO IMPOSE A PRIVILEGE LICENSE TAX ON OPERATORS OF ELECTRONIC VIDEO GAMES, with an indefinite postponement report.

H. B. 182, A BILL TO BE ENTITLED AN ACT TO IMPOSE A GROSS RECEIPTS TAX ON RECEIPTS FROM VIDEO GAME MACHINES, with an indefinite postponement report.

H. B. 398, A BILL TO BE ENTITLED AN ACT TO INCREASE THE INTEREST AND PAYMENT TO BE CHARGED ON DELINQUENT LOCAL TAXES, with an indefinite postponement report.

H. B. 1007, A BILL TO BE ENTITLED AN ACT TO IMPOSE PROGRESSIVE STATE SALES AND USE TAX RATES ON CARS AND CERTAIN OTHER VEHICLES AND TO INCREASE THE FEE FOR TRANSFER OF REGISTRATION OF A MOTOR VEHICLE, with an indefinite postponement report.

H. B. 1113, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ALL STATUTORY REFERENCES TO THE INTERNAL REVENUE CODE MEAN THE INTERNAL REVENUE CODE AS ENACTED ON A SPECIFIC DATE AND TO LIMIT THE AMOUNT THAT TAXPAYERS MAY DEDUCT AS DEPRECIATION UNDER THE ACCELERATED COST RECOVERY SYSTEM, with an indefinite postponement report.

H. B. 1115, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MOTOR VEHICLE REGISTRATION FEE FOR SUPPORT OF DRIVER EDUCATION PROGRAMS FROM THREE DOLLARS TO FIVE DOLLARS, with an indefinite postponement report.

H. B. 1208, A BILL TO BE ENTITLED AN ACT TO INCREASE THE EXCISE TAXES ON BEER AND LIQUOR AND TO INCREASE THE FEE FOR A MIXED BEVERAGE LICENSE, with an indefinite postponement report.

H. B. 1327, A BILL TO BE ENTITLED AN ACT TO INCREASE FUNDING FOR ENFORCEMENT OF THE MOTOR VEHICLE SAFETY INSPECTION PROGRAM AND TO INCREASE THE COMPENSATION OF INSPECTION STATIONS, with a favorable report, as amended.

H. B. 1383, A BILL TO BE ENTITLED AN ACT CONCERNING INACTIVE HAZARDOUS SUBSTANCE DISPOSAL SITES, with a favorable report, as amended.

S. B. 255, A BILL TO BE ENTITLED AN ACT RAISING CERTAIN FEES AND TAXES COLLECTED BY THE SECRETARY OF STATE, with an indefinite postponement report.

By Representative Wright for the Committee on Judiciary No. 2:

H. B. 1356, A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIME OF ABUSING OR EXPLOITING A DISABLED ADULT, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for July 11, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Pulley for the Committee on Judiciary No. 4:

H. B. 894, A BILL TO BE ENTITLED AN ACT TO PROVIDE FEES FOR PROFESSIONAL SERVICES BY CERTIFIED PUBLIC ACCOUNTANTS WHO SERVE AS FIDUCIARIES, with an indefinite postponement report.

H. B. 1414, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE CONDEMNATION POWERS OF COUNTY WATER AND SEWER DISTRICTS, with a favorable report.

S. B. 608, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN RECORDED MAPS AND PLATS, with a favorable report, as amended.

By Representative Miller for the Committee on Judiciary No. 1:

H. B. 596, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE INJURED PARTY TO TESTIFY AS TO MEDICAL BILLS, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for July 11, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 1005, A BILL TO BE ENTITLED AN ACT TO REQUIRE FRANCHISORS ISSUING CREDIT OR DEBIT CHARGE CARDS TO CLEARLY DISCLOSE TO CARD USERS ANY FEES IMPOSED UPON FRANCHISEES FOR CONSUMER USAGE OF SUCH CARDS, with an indefinite postponement report.

H. B. 1343, A BILL TO BE ENTITLED AN ACT TO PROTECT ARTISTS' RIGHTS IN ARTWORK ON CONSIGNMENT, with a favorable report, as amended.

By Representative Nesbitt for the Committee on Small Business:

H. B. 1122, A BILL TO BE ENTITLED AN ACT TO CREATE THE NEW TECHNOLOGY JOBS ACT, with an unfavorable report as to bill, favorable as to committee substitute bill, and recommendation that the substitute bill be re-referred to the Committee on Appropriations.

The substitute bill is re-referred to the Committee on Appropriations. The original bill is placed on the Unfavorable Calendar.

By Representative Seymour for the Committee on Public Utilities:

H. B. 1365, A BILL TO BE ENTITLED AN ACT TO AMEND THE POWERS AND DUTIES OF THE UTILITIES COMMISSION, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for July 11, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Lancaster for the Committee on Judiciary No. 3:

H. B. 1143, A BILL TO BE ENTITLED AN ACT TO PROVIDE FAIR DISCOVERY TO DEFENDANTS IN CRIMINAL PROSECUTIONS, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for July 11, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 1392, A BILL TO BE ENTITLED AN ACT TO AMEND THE SAFE ROADS ACT TO PROVIDE IMMUNITY FOR INJURY TO A DEFENDANT PERFORMING COMMUNITY SERVICE, with a favorable report, as amended.

H. B. 1398, A BILL TO BE ENTITLED AN ACT TO REQUIRE AN APPLICANT FOR APPOINTMENT OF A RECEIVER TO FURNISH A BOND PAYABLE TO THE ADVERSE PARTY, with a favorable report, as amended.

On motion of Representative Hunter, H. B. 1378, A BILL TO BE ENTITLED AN ACT TO REQUIRE CONTRACTS OR CERTIFICATES ISSUED BY MEDICAL SERVICE PLANS TO STATE WHICH HOSPITALS ARE NOT PLAN PARTICIPANTS AND TO REQUIRE THESE PLANS TO PAY NINETY PERCENT OF COVERED SERVICES IN NONPARTICIPATING HOSPITALS, is withdrawn from the Committee on Insurance and is re-referred to the Committee on Judiciary No. 4.

SUSPENSION OF RULES TO INTRODUCE LOCAL BILL

On motion of Representative Watkins, Rule 31.1 is suspended by a two-thirds majority vote in order for a local bill to be filed.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Spaulding and James:

H. J. R. 1412, A JOINT RESOLUTION REQUESTING THAT THE LEGISLATIVE RESEARCH COMMISSION STUDY MASS TRANSPORTATION AND PUBLIC TRANSPORTATION, is referred to the Committee on Rules and Operation of the House.

By Representatives Barbee, Bumgardner, Nesbitt, Payne, Pool, Rabon, Rhodes, Slaughter, Spoon, Wicker, and Wright:

H. B. 1413, A BILL TO BE ENTITLED AN ACT TO PROHIBIT FULL-TIME STATE EMPLOYEES FROM RECEIVING ANY STATE RETIREMENT BENEFITS WHILE EMPLOYED, is referred to the Committee on Pensions and Retirement.

By Representatives Owens, Hunt, and Lutz:

H. B. 1416, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE RUTHERFORD COUNTY INDUSTRIAL DEVELOPMENT COMMISSION, is referred to the Committee on Appropriations.

By Representatives Owens, Hunt, and Lutz:

H. B. 1417, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE POLK COUNTY INDUSTRIAL DEVELOPMENT COMMISSION, is referred to the Committee on Appropriations.

By Representative Wright:

H. B. 1418, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO COLUMBUS COMMITTEE OF 100, INC., OF COLUMBUS COUNTY, is referred to the Committee on Appropriations.

By Representative Evans:

H. B. 1420, A BILL TO BE ENTITLED AN ACT TO ALLOW CITIES TO LEVY PROPERTY TAXES FOR DRAINAGE PROGRAMS, is referred to the Committee on Finance.

On motion of Representative Musselwhite, the rules are suspended and the following is read the first time:

By Representative Musselwhite:

H. J. R. 1423, A JOINT RESOLUTION TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE ESTABLISHMENT OF GUIDELINES FOR THE MANAGEMENT AND USE OF INVESTMENTS HELD BY ELEEMOSYNARY INSTITUTIONS AND FUNDS, is referred to the Committee on Rules and Operation of the House.

On motion of Representative Watkins, the rules are suspended and the following is read the first time:

By Representative Watkins:

H. B. 1433, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING PERSON COUNTY'S ACQUISITION OF PROPERTY BY EMINENT DOMAIN FOR AIRPORT PURPOSES.

On motion of Representative Watkins, the rules are suspended and the bill is placed on the Calendar for July 8, 1983.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for House Committee Substitute for H. B. 567, A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES 14-107 TO MANDATE RESTITUTION FOR WORTHLESS CHECKS THROUGH COMMUNITY SERVICE WORK, IF NEEDED, is returned for concurrence in Senate committee substitute and is referred to the Committee on Small Business.

S. B. 647, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE SALE OF TAX LIENS TO PRIVATE PURCHASERS, is read the first time and is referred to the Committee on Rules and Operation of the House.

Senate Committee Substitute for H. B. 776, A BILL TO BE ENTITLED AN ACT TO MAKE MISCELLANEOUS CHANGES IN LOCAL LAWS AFFECTING ORANGE COUNTY, is returned for concurrence in Senate committee substitute.

On motion of Representative Hackney, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Hackney, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

On motion of Representative Hackney, the bill is recalled from the Enrolling Office.

Representative Hackney moves that the vote by which the House concurred in the Senate committee substitute be reconsidered and this motion carries.

The bill is placed on the Calendar for July 8, 1983 for second reading roll call.

Committee Substitute for S. B. 464, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA EMPLOYMENT AND TRAINING PROGRAM, is read the first time and is referred to the Committee on Rules and Operation of the House.

S. B. 650, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE GOVERNOR TO APPOINT A CLERK OF SUPERIOR COURT TO THE GOVERNOR'S CRIME COMMISSION, is read the first time and is referred to the Committee on Rules and Operation of the House.

S. B. 642, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE MEMBERSHIP AND APPOINTMENT AUTHORITY OF THE NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION, is read the first time and is referred to the Committee on Rules and Operation of the House.

CALENDAR

Action is taken on the following:

Conference Committee Substitute for H. B. 278, A BILL TO BE ENTITLED AN ACT TO ENACT THE TAX ADJUSTMENT ACT OF 1983.

The Conference Report passes its second reading for adoption, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Black, Blue, Bowen, Brannan, Brennan, Chapin, Childress, Church, Clark, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holt, Hudson, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Kennedy, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Owens, Payne, Pool, Pulley, Quinn, Rabon, Roberts, Seymour, Sparrow, Spaulding, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Womble, B. Woodard, C. Woodard, and Wright — 92.

Voting in the negative: Representatives Allran, Brawley, Brown, Brubaker, Burnley, Coble, Cochrane, C. Hughes, J, Hughes, Keesee, Lacey, Poovey, and Redding — 13.

Excused absences: Representative Jordan.

House Committee Substitute for S. B. 553, A BILL TO BE ENTITLED AN ACT SETTING STANDARDS FOR QUALIFICATION, TRAINING AND EXPERIENCE FOR PERSONS SEEKING TO REPRESENT THEMSELVES TO THE PUBLIC AS REGISTERED PRACTICING COUNSELORS: CREATING A STATE BOARD OF EXAMINERS FOR REGISTERED PRACTICING COUNSELORS: DEFINING THE FUNCTIONS AND DUTIES OF THAT BOARD: AND PROVIDING FOR PENALTIES.

The bill, as amended, passes its third reading, by the following vote, and is ordered engrossed and sent to the Senate for concurrence in House committee substitute.

Those voting in the affirmative are: Representatives Adams, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beard, Black, Blue, Bowen, Brannan, Brennan, Brubaker, Chapin, Childress, Church, Coble, Colton, J. W. Crawford, N. J. Crawford, Creecy, Easterling, Economos, Edwards, Bruce Ethridge, Evans, Fenner, Foster, Fulcher, Fussell, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hudson, C. Hughes, Hunt, Hunter, Huskins, James, Jeralds, Jones, Keesee, Lambeth, Lancaster, Lee, Lilley, Lutz, McDowell, Mauney, Mavretic, Murphy, Musselwhite, Owens, Payne, Pool, Quinn, Rabon, Redding, Rhodes, Robinson, Sparrow, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Womble, and B. Woodard — 79.

Voting in the negative: Representatives Allran, Beam, Brawley, Brown, Burnley, Clark, Cochrane, DeVane, Diamont, Bob Etheridge, Fletcher, Gentry, Hightower, J. Hughes, Jarrell, Kennedy, Lacey, Locks, Poovey, Pulley, Roberts, Seymour, Slaughter, Spaulding, C. Woodard, and Wright — 26.

Excused absences: Representative Jordan.

House Committee Substitute for S. B. 196, A BILL TO BE ENTITLED AN ACT TO APPROVE THE SOUTHEAST INTERSTATE LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT COMPACT.

Representative Bruce Ethridge moves that consideration of the bill be postponed until July 11, 1983.

On motion of Representative Miller, seconded by Representative Quinn, the motion to postpone is tabled by electronic vote (73-40).

Representative Miller calls the previous question on the passage of the bill and the call is sustained.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Auman, Ballance, Barker, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Chapin, Childress, Church, Clark, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Gentry, Gillam, Gist, Greenwood, Grimsley, Hasty, Hauser, Hayden, Helms, Holmes, Holt, Hudson, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jones, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Miller, Murphy, Musselwhite, Nash, Owens, Pulley, Quinn, Rabon, Roberts, Robinson, Seymour, Slaughter, Sparrow, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Varner, Warren, Watkins, Womble, B. Woodard, and C. Woodard — 93.

Voting in the negative: Representatives Barnes, Burnley, Coble, Cochrane, Diamont, Hackney, Hightower, C. Hughes, Jeralds, Keesee, Mavretic, Nesbitt, Payne, Pool, Redding, Rhodes, Tyson, and Wright — 18.

Excused absences: Representative Jordan.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 7, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body notifying you of the election by the Senate, pursuant to H. J. R. 1135, as amended by S. J. R. 655, of the following persons to the Board of Governors of the University of North Carolina:

MINORITY PARTY CATEGORY EIGHT-YEAR TERM

James Earl Danieley

AT-LARGE CATEGORY EIGHT-YEAR TERM

Irwin Belk
Wayne A. Corpening
Samuel Hawley Poole

Respectfully
S/ SYLVIA FINK
Principal Clerk

ELECTION OF UNIVERSITY OF NORTH CAROLINA
BOARD OF GOVERNORS
BY THE HOUSE OF REPRESENTATIVES

The Speaker declares that pursuant to H. J. R. 1135, as amended by S. J. R. 655, the House of Representatives is now ready to proceed with election of members to the Board of Governors.

The Speaker explains the rules of voting and orders the distribution of ballots upon which the nominees are listed. The members are advised that the nominees are to be elected to the following categories:

Two persons in the At-Large category for eight-year terms.

One person in the minority category for an eight-year term.

One person in the Women's category for an eight-year term.

The ballots are collected and Representatives Auman and his designees retire from the Chamber to canvass the votes.

Upon completion of the canvass, the Speaker announces that the following persons are elected:

John R. Jordan, Jr. and J. Aaron Prevost in the At-Large category for eight-year terms.

Louis T. Randolph in the minority category for an eight-year term.

Joan Fox in the Women's category for an eight-year term.

Pursuant to H. J. R. 1135, as amended by S. J. R. 655, Representative Auman moves for the simultaneous election of the four persons elected for the indicated positions and for the indicated terms. An electronic vote is taken with 104 members voting in the affirmative and one member voting in the negative.

The Speaker orders a special Message sent to the Senate informing them of the results of the election by the House of Representatives.

Representative Lancaster sends forth the following Conference Report and moves its adoption.

CONFERENCE REPORT

July 7, 1983

TO: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on H. B. 1260, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CONFORMING CHANGES IN THE RAPE INDICTMENT STATUTE AS A RESULT OF CHAPTER 175 OF THE SESSION LAWS OF 1983, wish to report as follows: The House concurs in Senate Amendment #1 with the following amendment:

In Senate Amendment #1, delete "Sec. 5. This act shall become effective October 1, 1983" and insert in lieu thereof "Sec. 5. Sections 1, 2, and 3 of this act shall become effective October 1, 1983. The remainder of this act is effective upon ratification."

The Senate concurs in the same.

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 7th day of July, 1983.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ Julian R. Allsbrook	S/ H. Martin Lancaster
S/ Robert S. Swain	S/ Daniel T. Blue, Jr.
S/ Cecil R. Jenkins	S/ Bertha M. Holt

The Conference Report is adopted, by electronic vote (99-0), and the Senate is so notified by Special Message.

H. B. 1363, A BILL TO BE ENTITLED AN ACT TO ABOLISH CERTAIN COMMITTEES AND COMMISSIONS UNDER THE DEPARTMENT OF CULTURAL RESOURCES.

The bill, as amended, passes its third reading, by electronic vote (101-2), and is ordered engrossed and sent to the Senate.

S. B. 621, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 85B, RELATING TO AUCTIONS AND AUCTIONEERS.

Representative Church offers Amendment No. 1 which is adopted by electronic vote (100-0).

Representative Adams offers Amendment No. 2 which is adopted by electronic vote (104-0).

The bill, as amended, passes its third reading, by electronic vote (97-1), and is ordered sent to the Senate for concurrence in House amendments.

S. B. 14, A BILL TO BE ENTITLED AN ACT TO ELIMINATE MANDATORY RETIREMENT AT AGE 70 FOR PERSONS COVERED UNDER THE STATE EMPLOYEES OR LOCAL GOVERNMENT EMPLOYEES RETIREMENT SYSTEM.

Representative Lancaster offers Amendment No. 2.

Representative Economos moves, seconded by Representative McDowell, that Amendment No. 2 do lie upon the table and this motion fails by electronic vote (26-71).

On motion of the Chair, consideration of the bill and pending amendment is postponed until July 11, 1983.

Committee Substitute for H. B. 1330, A BILL TO BE ENTITLED AN ACT TO PROVIDE A METHOD TO ESTABLISH THAT A NOTICE OF SALE HAS BEEN POSTED AT THE COURTHOUSE AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 720, A BILL TO BE ENTITLED AN ACT TO AMEND THE NOTICE REQUIREMENTS OF G. S. 105-375, passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 1353, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 115C-72 RELATING TO THE CONSOLIDATION OF DISTRICTS AND DISCONTINUANCE OF SCHOOLS, passes its second reading by electronic vote (97-2).

Representative Slaughter objects to the third reading. The bill remains on the Calendar.

Committee Substitute for H. B. 1189, A BILL TO BE ENTITLED AN ACT TO REVISE PARTS OF CHAPTER 162A OF THE GENERAL STATUTES RELATING TO WATER AND SEWER AUTHORITIES, passes its second reading, by electronic vote (83-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 96, A BILL TO BE ENTITLED ANA CT TO SIMPLIFY AND CODIFY THE RULES OF EVIDENCE.

S. B. 508, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE STATE TREASURER'S INVESTMENT AUTHORITY AND TO ENHANCE THE MANAGEMENT OF THE TRUST FUND INVESTMENT PROGRAM.

S. B. 384, A BILL TO BE ENTITLED AN ACT TO PERMIT THE LOCAL BOARDS OF EDUCATION IN AVERY AND WATAUGA COUNTIES TO SCHEDULE LONGER SCHOOL DAYS SO AS TO OFFSET DAYS LOST DUE TO INCLEMENT WEATHER.

S. B. 424, A BILL TO BE ENTITLED AN ACT RELATING TO THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW.

S. B. 473, A BILL TO BE ENTITLED AN ACT TO MAKE SHOPPING CART THEFT UNLAWFUL.

S. J. R. 113, A JOINT RESOLUTION URGING PUBLIC ACCESS FOR COROLLA AND THE CURRITUCK OUTER BANKS.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 7, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the Senate has removed Senator Soles as a Conferee for H. B. 683, A BILL TO BE ENTITLED AN ACT TO REWRITE G. S. 20-217 PERTAINING TO PASSING STOPPED SCHOOL BUSES AND RECEIVING OR DISCHARGING PASSENGERS FROM SCHOOL BUSES STOPPED ON DIVIDED ROADWAYS, and that Senator Rand has been added.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 7, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the Senate has removed Senator Soles as a Conferee for H. B. 767, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 90-108 TO PROHIBIT EMBEZZLEMENT OF CONTROLLED SUBSTANCES BY EMPLOYEES OF PRACTITIONERS AND REGISTRANTS, AND TO PROHIBIT "DOCTOR SHOPPING" AS A MEANS OF

FRAUDULENTLY OBTAINING CONTROLLED SUBSTANCES FROM PRACTITIONERS, and that Senator Johnson has been added.

Respectfully,
S/ Sylvia Fink
Principal Clerk

CALENDAR (continued)

Committee Substitute for H. B. 1315, A BILL TO BE ENTITLED AN ACT TO CREATE A HOSPITAL LIEN FOR EMERGENCY HOSPITAL SERVICES AND TO ALLOW PROVIDERS OF MEDICAL SERVICES A LONGER TIME TO CLAIM A LIEN ON SUMS RECOVERED AS DAMAGES FOR PERSONAL INJURY.

Representative Musselwhite offers Amendment No. 1 which fails of adoption by electronic vote (25-59).

Representative Musselwhite moves that consideration of the bill be postponed until July 11, 1983.

Representative Wright moves, seconded by Representative Pulley, that the bill and motion to postpone do lie upon the table.

Representative Musselwhite moves, seconded by Representative Blue, that the House do adjourn to reconvene July 8, 1983 at 10:00 a.m. and this motion carries by electronic vote (64-43).

ONE HUNDRED TWENTY-EIGHTH DAY

House of Representatives
Friday, July 8, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Helms.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of July 7 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representatives Allran, Black, Jordan, Lacey, and Wright for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Hunt for the Committee on Rules and Operation of the House:

H. B. 905, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 7A OF THE GENERAL STATUTES BY ELIMINATING THE JUDICIAL COUNCIL, with recommendation that the House do not concur; request conferees.

On motion of Representative Hunt, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Hunt, the House does not concur in the Senate amendment and conferees are requested.

The Speaker announces the appointment of Representatives Beam, Chairman; Hunter, and Helms as conferees and the Senate is so notified by Special Message.

H. J. R. 1411, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JULIAN HAWLEY POOLE, A FORMER MEMBER OF THE GENERAL ASSEMBLY, with a favorable report.

H. J. R. 1385, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CLAUDE DEBRUHL, with a favorable report.

H. B. 1307, A BILL TO BE ENTITLED AN ACT TO CREATE THE PUBLIC EDUCATION POLICY COUNCIL, with a favorable report and recommendation that the bill be re-referred to the Committee on Appropriations.

By Representative Church for the Committee on State Government:

H. B. 814, A BILL TO BE ENTITLED AN ACT TO REGULATE THE PRACTICE OF MIDWIFERY, with an unfavorable report as to bill, favorable as to committee substitute bill, and recommendation that the substitute bill be re-referred to the Committee on Finance.

The substitute bill is re-referred to the Committee on Finance. The original bill is placed on the Unfavorable Calendar.

By Representative Bumgardner for the Committee on Transportation:

H. B. 169, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 136 TO AUTHORIZE HIGHWAY CONTRACTS WITHOUT COMPETITIVE BIDDING, with an indefinite postponement report.

H. B. 252, A BILL TO BE ENTITLED AN ACT CONCERNING AXLE WEIGHT LIMITS FOR MOTOR VEHICLES HAULING LIVESTOCK & POULTRY BY-PRODUCTS FROM POINT OF ORIGIN, with an indefinite postponement report.

H. B. 480, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 20 TO CONFORM VEHICLE WIDTHS ON ALL HIGHWAYS, AND TRUCK TRAILER LENGTHS AND DOUBLE TRUCK TRAILERS ON THE INTERSTATE AND OTHER DESIGNATED HIGHWAYS, TO FEDERAL-AID STANDARDS AND OTHER CHANGES, with an indefinite postponement report.

H. B. 481, A BILL TO BE ENTITLED AN ACT TO AMEND THE MOTOR VEHICLE LAWS IN CHAPTER 20 OF THE GENERAL STATUTES TO CONFORM TRUCK WEIGHTS ON STATE HIGHWAYS TO THE FEDERAL BRIDGE FORMULA AND TO UPDATE THE STATUTE BY MAKING OTHER CHANGES, with an indefinite postponement report.

H. B. 987, A BILL TO BE ENTITLED AN ACT TO MAKE THE JUNKYARD CONTROL ACT APPLICABLE TO STATE HIGHWAYS DESIGNATED BY THE BOARD OF TRANSPORTATION, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for July 12, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 1373, A BILL TO BE ENTITLED AN ACT TO PROVIDE SPECIAL IDENTIFICATION CARDS FOR NONOPERATORS TWELVE YEARS OR OLDER, with an indefinite postponement report.

By Representative Clark for the Committee on Alcoholic Beverage Control:

H. B. 882, A BILL TO BE ENTITLED AN ACT TO REPEAL CHAPTER 331 OF THE SESSION LAWS OF 1981 CONCERNING THE MECKLENBURG COUNTY ALCOHOLIC BEVERAGE CONTROL BOARD, with a favorable report.

By Representative Tyson for the Committee on State Properties:

H. B. 339, A BILL TO BE ENTITLED AN ACT TO REDEFINE THE BOUNDARIES OF THE STATE GOVERNMENT CENTER AS SET FORTH IN G. S. 146-22.1(3), with an unfavorable report.

By Representative Gentry for the Committee on Election Laws:

H. B. 1065, A BILL TO BE ENTITLED AN ACT TO PROVIDE EQUITY FOR VOTING BY DISABLED AND ELDERLY PERSONS, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for July 12, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 1264, A BILLTO BE ENTITLED AN ACT TO PROVIDE THAT ELECTIONS SHALL NORMALLY BE HELD IN MAY OR NOVEMBER SO AS TO REDUCE THE COST AND FREQUENCY OF SPECIAL ELECTIONS, with a favorable report, as amended.

S. B. 628, A BILL TO BE ENTITLED AN ACT TO GIVE THE STATE BOARD OF ELECTIONS A LONGER PERIOD OF TIME TO DETERMINE NOMINEES FOR THE PRESIDENTIAL PRIMARY, with a favorable report.

By Representative McAlister for the Committee on Water and Air Resources:

H. B. 323, A BILL TO BE ENTITLED AN ACT TO EXPAND THE POWERS OF MUNICIPALITIES WITH RESPECT TO THE ISSUANCE OF REVENUE BONDS FOR SYSTEMS, FACILITIES AND EQUIPMENT FOR THE COLLECTION, TREATMENT OR DISPOSAL OF SOLID WASTE, with an unfavorable report.

H. B. 324, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITIES AND COUNTIES TO PREPARE REQUESTS FOR PROPOSALS FOR THE CONSTRUCTION, DESIGN AND OPERATION OF SOLID WASTE MANAGEMENT FACILITIES; AUTHORIZING CITIES AND COUNTIES TO EVALUATE PROPOSALS ON THE BASIS OF FACTORS OTHER THAN PRICE ALONE; AUTHORIZING CITIES AND COUNTIES TO SELECT A PROPOSER ON THE BASIS OF THE EVALUATION OF PROPOSALS RECEIVED; AUTHORIZING CITIES AND COUNTIES TO NEGOTIATE A CONTRACT WITH SELECTED PROPOSER; PROVIDING FOR CONTRACT DURATION AND TERMS; AND REQUIRING COMPETITIVE BIDDING FOR ANCILLARY FACILITIES, with an unfavorable report.

H. B. 438, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES AND CITIES TO MANAGE THE HEIGHT OF BUILDINGS AND STRUCTURES ON MOUNTAIN RIDGES, with an unfavorable report.

By Representative Hightower for the Committee on Insurance:

H. B. 1069, A BILL TO BE ENTITLED AN ACT TO EXTEND THE APPLICATION OF THE READABLE INSURANCE POLICIES ACT, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for July 12, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 1403, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTERS 58 AND 66 OF THE GENERAL STATUTES TO ALLOW FOR LIMITED LICENSING OF MOTOR CLUB SALES AGENTS TO PROVIDE INSURANCE, with a favorable report, as amended.

H. B. 1419, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 58-54.4 RELATING TO THE LAW PROHIBITING UNFAIR BUSINESS PRACTICES, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

On motion of Representative Anderson, the rules are suspended and the bill is placed on today's Calendar.

Committee Substitute for S. B. 475, A BILL TO BE ENTITLED AN ACT TO REGULATE THE INFORMATION THAT CONSTITUTES SATISFACTORY PROOF OF LOSS BECAUSE OF THE DEATH, with an unfavorable report as to Senate committee substitute bill, favorable as to House committee substitute bill, which changes the title.

The House committee substitute bill is placed on the Calendar for July 12, 1983. The Senate committee substitute bill is placed on the Unfavorable Calendar.

By Representative Miller for the Committee on Judiciary No. 1:

H. B. 361, A BILL TO BE ENTITLED AN ACT TO ENSURE THE INHERITANCE RIGHTS OF AN ADOPTED CHILD, with an indefinite postponement report.

H. B. 738, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR STRICT LIABILITY FOR DAMAGES RESULTING FROM HAZARDOUS WASTES IN NORTH CAROLINA, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for July 12, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Wright for the Committee on Judiciary No. 2:

H. B. 376, A BILL TO BE ENTITLED AN ACT RELATING TO THE DISPOSITION OF ANIMALS BY ANIMAL SHELTERS AND POUNDS, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for July 12, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Wicker for the Committee on Law Enforcement:

H. B. 419, A BILL TO BE ENTITLED AN ACT TO DELETE THE OBSOLETE REQUIREMENTS THAT CLERKS OF COURT FURNISH AN INDIVIDUAL BOND AND THAT SHERIFFS FURNISH A BOND FOR THE COLLECTION OF TAXES, with an indefinite postponement report.

H. B. 1380, A BILL TO BE ENTITLED AN ACT TO RECOGNIZE THAT THE SUN HAS SET AND NIGHT SHOULD FALL ON THE LAW ENFORCEMENT OFFICERS' MINIMUM SALARY ACT, with a favorable report.

By Representative Mavretic for the Committee on Pensions and Retirement:

H. B. 1382, A BILL TO BE ENTITLED AN ACT TO PERMIT EMPLOYEES OF THE STATE EMPLOYEES' CREDIT UNION THE OPTION OF TERMINATING MEMBERSHIP IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, with a favorable report.

On motion of Representative Bob Etheridge, the rules are suspended and the bill is placed on today's Calendar.

By Representative Lancaster for the Committee on Judiciary No. 3:

H. B. 1352, A BILL TO BE ENTITLED AN ACT TO PROVIDE A FAIR PROCEDURE IN PARTITION SALES, with an unfavorable report as to bill, favorable as to committee substitute bill.

The substitute bill is placed on the Calendar for July 12, 1983. The original bill is placed on the Unfavorable Calendar.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Stamey:

H. B. 1421, A BILL TO BE ENTITLED AN ACT REGARDING TRIAL OF PRISONERS, is referred to the Committee on Law Enforcement.

By Representatives Lutz, Hunt, and Owens:

H. B. 1422, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE RENOVATION OF THE OLD CLEVELAND COUNTY COURTHOUSE IN SHELBY, is referred to the Committee on Appropriations.

By Representatives C. Woodard and Lancaster:

H. B. 1424, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE HISTORICAL MOUNT OLIVE DEPOT OF MOUNT OLIVE, INC., is referred to the Committee on Appropriations.

By Representatives C. Woodard and Lancaster:

H. B. 1425, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE FREMONT COMMUNITY CENTER OF FREMONT, INC., is referred to the Committee on Appropriations.

By Representatives Owens, Hunt, and Lutz:

H. B. 1426, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE RUTHERFORD COUNTY LIBRARY, is referred to the Committee on Appropriations.

By Representatives Lutz, Hunt, and Owens:

H. B. 1427, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE CHILDREN'S CENTER IN CLEVELAND COUNTY, is referred to the Committee on Appropriations.

By Representative Bowen:

H. B. 1428, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE GARLAND RECREATION DEPARTMENT, GARLAND, SAMPSON COUNTY, NORTH CAROLINA, is referred to the Committee on Appropriations.

By Representative Bowen:

H. B. 1429, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE UNION RESCUE SQUAD OF WILLARD, PENDER COUNTY, NORTH CAROLINA, is referred to the Committee on Appropriations.

By Representatives C. Woodard and Lancaster:

H. B. 1430, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE COMMUNITY ARTS COUNCIL OF GOLDSBORO, INC., is referred to the Committee on Appropriations.

By Representative Murphy:

H. B. 1431, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO DUPLIN COUNTY FOR A LOCALIZER AT THE DUPLIN COUNTY AIRPORT, is referred to the Committee on Appropriations.

By Representatives Lutz, Hunt, and Owens:

H. B. 1432, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A CLEVELAND COUNTY MEMORIAL LIBRARY, is referred to the Committee on Appropriations.

On motion of Representative Gentry, the rules are suspended and the following is read the first time:

By Representative Gentry:

H. B. 1434, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CAPTAIN JOHN MARTIN ROCK HOUSE, is referred to the Committee on Appropriations.

On motion of Representative Holt, the rules are suspended and the following is read the first time:

By Representatives Holt, McAlister, and McDowell:

H. B. 1435, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR CAPITAL IMPROVEMENTS TO THE ALAMANCE COUNTY ARTS COUNCIL, GRAHAM, NORTH CAROLINA, is referred to the Committee on Appropriations.

On motion of Representative Holt, the rules are suspended and the following is read the first time:

By Representatives Holt, McAlister, and McDowell:

H. B. 1436, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR REPAIRS TO THE HISTORICAL CAROUSEL, BURLINGTON, NORTH CAROLINA, is referred to the Committee on Appropriations.

On motion of Representative Fenner, the rules are suspended and the following is read the first time.

By Representative Fenner:

H. J. R. 1437, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE SCHOOL OF PUBLIC HEALTH NURSING WITHIN THE SCHOOL OF PUBLIC HEALTH AT THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL AND TO URGE THE UNIVERSITY TO MAINTAIN THE CURRENT STATUS OF THAT SCHOOL, is referred to the Committee on Appropriations.

On motion of Representative Hudson, the rules are suspended and the following is read the first time:

By Representative Hudson:

H. B. 1438, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR RESTORATION OF THE OLD UNION COUNTY COURTHOUSE, is referred to the Committee on Appropriations.

On motion of Representative Bruce Ethridge, the rules are suspended and the following is read the first time:

By Representative Bruce Ethridge:

H. B. 1440, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE SWANSBORO BICENTENNIAL PARK, is referred to the Committee on Appropriations.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for H. B. 56, A BILL TO BE ENTITLED AN ACT TO AMEND THE SAFE DRIVER INSURANCE PLAN PROVISIONS BY INCREASING THE PROPERTY DAMAGE THRESHOLD FOR CHARGEABLE ACCIDENTS AND ELIMINATING SURCHARGES FOR CERTAIN SPEEDING TRAFFIC VIOLATIONS, is returned for concurrence in three Senate amendments.

On motion of Representative Seymour, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Seymour, the House concurs in Senate Amendments Nos. 1 and 2.

On motion of Representative Seymour, the vote by which the House concurred in Senate Amendment No. 1 is reconsidered.

On motion of Representative Seymour, the vote by which the House concurred in Senate Amendment No. 2 is reconsidered.

On motion of Representative Hightower, the House does not concur in the Senate amendments and a conference committee is requested.

The Speaker appoints as conferees on the part of the House, Representatives Seymour, Beall, and Lee and the Senate is so notified by Special Message.

Committee Substitute for H. B. 1003, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IF PROPERTY OWNED BY A LOCAL BOARD OF EDUCATION IS NO LONGER SUITABLE OR NECESSARY FOR PUBLIC SCHOOL PURPOSES, THE BOARD OF COUNTY COMMISSIONERS HAS THE FIRST OPPORTUNITY TO PURCHASE, is returned for concurrence in Senate amendment and is placed on the Calendar for July 11, 1983.

S. B. 573, A BILL TO BE ENTITLED AN ACT TO LIMIT TO THREE YEARS THE REQUIREMENT FOR A BOND WHEN A DEFAULT JUDGMENT IS TAKEN PURSUANT TO THE RULES OF CIVIL PROCEDURE, is read the first time and is referred to the Committee on Rules and Operation of the House.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 7, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the Senate adopts the report of the conferees on H. B. 53, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS CONCERNING THE ADVISORY BUDGET COMMISSION AND OTHER BOARDS TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE ON SEPARATION OF POWERS, to the end that when a similar action has been taken on the part of the House, you may order the bill enrolled.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 7, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the Senate adopts the report of the conferees on H. B. 1260, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL CONFORMING CHANGES IN THE RAPE INDICTMENT STATUTE AS A RESULT OF CHAPTER 175 OF THE SESSION LAWS OF 1983, to the end that when a similar action has been taken on the part of the House, you may order the bill enrolled.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

The Speaker orders the bill enrolled.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 7, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the Senate adopts the report of the conferees on Senate Committee Substitute for H. B. 1221, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN LIMITED PARTNERSHIP DEBT OBLIGATIONS FROM THE APPLICATION OF THE STATE'S INTEREST LAWS, to the end that when a similar action has been taken on the part of the House you may order the bill enrolled.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

CALENDAR

Action is taken on the following:

Conference Report for Conference Committee Substitute for House Committee Substitute for H. B. 278, A BILL TO BE ENTITLED AN ACT TO ENACT THE TAX ADJUSTMENT ACT OF 1983, passes its third reading for adoption, by the following vote, and the Senate is so notified by Special Message.

Those voting in the affirmative are: Representatives Adams, Anderson, Auman, Ballance, Barker, Beall, Beam, Blue, Bowen, Brennan, Brown, Bumgardner, Chapin, Childress, Church, Colton, J. W. Crawford, Creecy, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hauser, Hayden, Helms, Hudson, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Kennedy, Lambeth, Lancaster, Locks, Lutz, McDowell, Matthews, Mauney, Miller, Murphy, Nash, Nesbitt, Owens, Payne, Pool, Pulley, Roberts, Slaughter, Sparrow, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Womble, B. Woodard, and C. Woodard — 74.

Voting in the negative: Representatives Brawley, Brubaker, Coble, Cochrane, Holmes, C. Hughes, Poovey, Redding, and Rhodes — 9.

Excused absences: Representatives Allran, Black, Jordan, Lacey, and Wright — 5.

Representative Miller sends forth the following Conference Report and moves its adoption.

CONFERENCE REPORT

July 8, 1983

TO: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on Senate Committee Substitute (Fourth Edition Engrossed) for the House Committee Substitute for H. B. 53, A BILL TO BE ENTITLED AN ACT TO MAKE AMENDMENTS CONCERNING THE ADVISORY BUDGET COMMISSION AND OTHER BOARDS TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE ON SEPARATION OF POWERS, wish to report as follows: The House concurs in the Senate Committee Substitute (fourth edition engrossed) with the following amendments:

(1) on page 11, lines 7 through 10 by deleting those lines in their entirety, and on page 11, line 1 by renumbering Section 43.6 to be Section 44.

(2) on page 15, line 2 by inserting immediately before the comma the words "and the Capital Building Authority", and on page 15, line 13 by inserting immediately before the comma the words "and the Capital Building Authority".

(3) on page 26, lines 21 and 22 by rewriting those lines to read: "Sec. 115. This act is effective upon ratification, except that"

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 8th day of July, 1983.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ Julian R. Allsbrook	S/ George W. Miller, Jr.
S/ Kenneth C. Royall, Jr.	S/ William T. Watkins
S/ Cecil Jenkins	S/ Allen Adams
S/ Robert S. Swain	S/ Parks Helms
S/ Ollie Harris	S/ Richard Wright

The Conference Report is adopted, by electronic vote (95-1), the bill is ordered enrolled, and the Senate is so notified by Special Message.

CALENDAR (continued)

Senate Committee Substitute for H. B. 776, A BILL TO BE ENTITLED AN ACT TO MAKE MISCELLANEOUS CHANGES IN LOCAL LAWS AFFECTING ORANGE COUNTY, passes its second reading for concurrence, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Anderson, Auman, Barker, Beall, Beam, Beard, Blue, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Coble, Cochrane, Colton, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bruce Ethridge, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Hudson, J. Hughes, Hunt, James, Jarrell, Jeralds, Jones, Keesee, Kennedy, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Seymour, Slaughter, Sparrow, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Womble, B. Woodard, and C. Woodard — 92.

Voting in the negative: None.

Excused absences: Representatives Allran, Black, Jordan, Lacey, and Wright — 5.

H. B. 1433, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING PERSON COUNTY'S ACQUISITION OF PROPERTY BY EMINENT DOMAIN FOR AIRPORT PURPOSES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Anderson, Auman, Ballance, Barbee, Barker, Beall, Beam, Beard, Blue, Brannan, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Colton, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Fletcher, Foster, Gentry, Gist, Greenwood, Hackney, Hasty, Hauser, Hayden, Helms, Holmes, Hudson, C. Hughes, Hunt, James, Jarrell, Jeralds, Jones, Keesee, Kennedy, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Quinn, Rabon, Redding, Rhodes, Roberts, Seymour, Sparrow, Spaulding, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Womble, B. Woodard, and C. Woodard — 87.

Voting in the negative: None.

Excused absences: Representatives Allran, Black, Jordan, Lacey, and Wright — 5.

Committee Substitute for H. B. 571, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF THE CITY OF RALEIGH TO PERMIT PAYMENTS IN LIEU OF DEDICATION OF LAND OR ACTUAL CONSTRUCTION OF REQUIRED IMPROVEMENTS IN THE APPROVAL OF SUBDIVISIONS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

House Committee Substitute for S. B. 196, A BILL TO BE ENTITLED AN ACT TO APPROVE THE SOUTHEAST INTERSTATE LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT COMPACT.

Representative Miller calls the previous question on the passage of the bill and the call is sustained.

The bill passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Those voting in the affirmative are: Representatives Anderson, Auman, Ballance, Barbee, Barker, Beall, Beam, Beard, Berry, Blue, Brannan, Brennan, Brown, Brubaker, Bumgardner, Chapin, Childress, Church, Clark, Colton, J. W. Crawford, Creecy, DeVane, Easterling, Economos, Edwards, Enloe, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hasty, Hauser, Hayden, Helms, Holmes, Holt, Hudson, J. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Kennedy, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Owens, Poovey, Pulley, Quinn, Rabon, Roberts, Robinson, Seymour, Slaughter, Sparrow, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, and C. Woodard — 92.

Voting in the negative: Representatives Barnes, Bowen, Brawley, Burnley, Coble, Cochrane, Diamont, Hackney, Hightower, C. Hughes, Keesee, Nesbitt, Payne, Pool, Redding, Rhodes, and Tyson — 17.

Excused absences: Representatives Allran, Black, Jordan, Lacey, and Wright — 5.

Representative Evans sends forth the following Conference Report and moves its adoption.

CONFERENCE REPORT

July 7, 1983

TO: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on the Senate Committe Substitute adopted June 23, 1983 to H. B. 1221, A BILL TO BE ENTITLED AN ACT TO EXEMPT CERTAIN LIMITED PARTNERSHIP DEBT OBLIGATIONS FROM THE APPLICATION OF THE STATE'S INTEREST LAWS, wish to report as follows: That the House and Senate agree to amend the Senate Committee Substitute on page 2 by placing after the word and punctuation "examination." the following:

"--and further amended by deleting the last sentence of G. S. 54B-246(a) and by adding in lieu thereof the following sentence:
'The grant of general control and supervision over mutual deposit guaranty associations to

the Secretary of Commerce by this Article shall in no way be deemed to affect the existing powers, duties and responsibilities of the Credit Union Commission, the Commissioner of Banks, the State Banking Commission or the North Carolina Savings and Loan Commission except for the removal herein of general control and supervision over mutual deposit guaranty associations from the Administrator of the Savings and Loan Division to the Secretary of Commerce.'."

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 7th day of July, 1983.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ James H. Edwards	S/ Charles D. Evans
S/ Benjamin T. Tison	S/ Edward Nelson Warren
S/ W. Craig Lawing	S/ Margaret Tennille

The Conference Report is adopted, by electronic vote (80-1), the bill is ordered enrolled and the Senate is so notified by Special Message.

CALENDAR (continued)

Representative Barbee presiding.

H. B. 1327, A BILL TO BE ENTITLED AN ACT TO INCREASE FUNDING FOR ENFORCEMENT OF THE MOTOR VEHICLE SAFETY INSPECTION PROGRAM AND TO INCREASE THE COMPENSATION OF INSPECTION STATIONS.

On motion of Representative Blue, Committee Amendments Nos. 1 and 2 fail of adoption.

Representative Blue offers Amendment No. 3 which is adopted.

Representative Seymour calls the previous question on the passage of the bill and the call fails by electronic vote (38-48).

Representative Seymour moves that consideration of the bill be postponed until July 12, 1983.

On motion of Representative Hightower, seconded by Representative Pool, the bill is tabled by electronic vote (46-43).

H. B. 1414, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE CONDEMNATION POWERS OF COUNTY WATER AND SEWER DISTRICTS.

On motion of Representative Bob Etheridge, consideration of the bill is postponed until July 11, 1983.

SPECIAL MESSAGE FROM THE SENATE

The following Special Messages are received from the Senate:

S. B. 663, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE CONDEMNATION POWERS OF COUNTY WATER AND SEWER DISTRICTS, is read the first time.

On motion of Representative Bob Etheridge, the rules are suspended and the bill is placed on the Calendar for July 11, 1983.

CALENDAR (continued)

Committee Substitute No. 2 for H. B. 645, A BILL TO BE ENTITLED AN ACT TO RECODIFY THE PUBLIC HOSPITAL LAWS IN CHAPTERS 131 AND 131B AND IN PORTIONS OF CHAPTER 130 OF THE GENERAL STATUTES.

Representative Pulley offers Amendment No. 1 which is adopted.

Representative Pulley offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Anderson, Auman, Ballance, Barker, Barnes, Beall, Beam, Beard, Blue, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, J. W. Crawford, DeVane, Diamont, Easterling, Economos, Enloe, Bruce Ethridge, Fenner, Foster, Fussell, Gentry, Grimsley, Hackney, Hasty, Hauser, Hayden, Hightower, Holmes, Holt, Hudson, C. Hughes, Huskins, Jarrell, Jones, Keesee, Kennedy, Lambeth, Lancaster, Lee, McAlister, McDowell, Mauney, Mavretic, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Pulley, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Sparrow, Spaulding, Tennille, Thomas, Tyson, Varner, Warren, Womble, B. Woodard, and C. Woodard — 80.

Voting in the negative: None.

Excused absences: Representatives Allran, Black, Jordan, Lacey, Tyndall, and Wright — 6.

Representative Helms requests that the following statement be entered into the Journal and this request is granted:

"Please record me as voting 'aye' on Committee Substitute No. 2 for H. B. 645."

S/ W. Parks Helms

SPECIAL MESSAGE FROM THE SENATE

Senate Chamber
July 8, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the Senate adopts the report of the conferees on Senate Committee Substitute for House Committee Substitute for H. B. 278, A BILL TO BE ENTITLED AN ACT TO ENACT THE TAX ADJUSTMENT ACT OF 1983, to the end that when a similar action is taken on the part of the House, you may order the bill enrolled.

Respectfully,
S/ Sylvia Fink
Principal Clerk

The Speaker orders the bill enrolled.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 8, 1983

Mr. Speaker:

Pursuant to your message that the House of Representatives fails to concur in the Senate Committee Substitute to H. B. 905, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 7A OF THE GENERAL STATUTES BY ELIMINATING THE JUDICIAL COUNCIL, and requests conferees, the President appoints Senators Jenkins, Swain, and Allsbrook on the part of the Senate to confer with a like committee on the part of the House to the end that the differences between the two Bodies may be resolved.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

S. B. 666, A BILL TO BE ENTITLED AN ACT TO GRANT A PARTIAL TAX EXEMPTION FOR GASOHOL MADE FROM AGRICULTURAL OR FORESTRY WASTE PRODUCTS OR BY-PRODUCTS, is read the first time and is referred to the Committee on Rules and Operation of the House.

CALENDAR (continued)

Committee Substitute for H. B. 1353, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 115C-72 RELATING TO THE CONSOLIDATION OF DISTRICTS AND DISCONTINUANCE OF SCHOOLS.

Representative Slaughter offers Amendment No. 1 which is adopted by electronic vote (87-0).

The bill, as amended, passes its third reading, by electronic vote (86-0), and is ordered engrossed and sent to the Senate.

Committee Substitute for H. B. 1315, A BILL TO BE ENTITLED AN ACT TO CREATE A HOSPITAL LIEN FOR EMERGENCY HOSPITAL SERVICES AND TO ALLOW PROVIDERS OF MEDICAL SERVICES A LONGER TIME TO CLAIM A LIEN ON SUMS RECOVERED AS DAMAGES FOR PERSONAL INJURY.

On motion of Representative Musselwhite, the bill is re-referred to the Committee on Judiciary No. 1.

Committee Substitute House Joint Resolution for H. B. 1149, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE ISSUE OF RESTRICTING THE HOURS DURING WHICH MINORS MAY DRIVE.

On motion of Representative Hunt, the bill is re-referred to the Committee on Appropriations.

Committee Substitute for H. B. 1374, A BILL TO BE ENTITLED AN ACT TO AMEND THE PRIMA FACIE EVIDENCE RULE FOR ENFORCEMENT OF

PARKING REGULATIONS, passes its second reading, by electronic vote (87-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 1090, A BILL TO BE ENTITLED AN ACT TO LIMIT THE OPERATION OF TRUCKS WITH TWO TRAILERS TO CERTAIN ROADS IN NORTH CAROLINA.

On motion of Representative Enloe, Committee Amendment No. 1 is adopted, which changes the title.

Representative Lancaster offers Amendment No. 2.

On motion of Representative Enloe, seconded by Representative Anderson, Amendment No. 2 is tabled by electronic vote (49-42).

Representative Robinson offers Amendment No. 3 which is adopted.

Representative Hightower calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its second reading by electronic vote (87-1).

On motion of Representative Hightower, the rules are suspended in order for the bill to have its third reading.

Representative Lancaster offers Amendment No. 4 which is adopted by electronic vote (89-1).

The bill, as amended, passes its third reading, by electronic vote (82-1), and is ordered engrossed and sent to the Senate.

H. B. 1384, A BILL TO BE ENTITLED AN ACT TO RESTRICT THE USE OF THE LIST OF LICENSED DRIVERS TO JURY SELECTION PURPOSES ONLY, passes its second reading, by electronic vote (80-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate.

H. B. 1383, A BILL TO BE ENTITLED AN ACT CONCERNING INACTIVE HAZARDOUS SUBSTANCE DISPOSAL SITES.

On motion of Representative Hackney, Committee Amendment No. 2 is adopted.

Representative Hackney offers Amendment No. 3 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (79-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 1343, A BILL TO BE ENTITLED AN ACT TO PROTECT ARTISTS' RIGHTS IN ARTWORK ON CONSIGNMENT.

On motion of Representative Kennedy, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (84-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 1392, A BILL TO BE ENTITLED AN ACT TO AMEND THE SAFE ROADS ACT TO PROVIDE IMMUNITY FOR INJURY TO A DEFENDANT PERFORMING COMMUNITY SERVICE.

On motion of Representative Miller, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (79-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 1398, A BILL TO BE ENTITLED AN ACT TO REQUIRE AN APPLICANT FOR APPOINTMENT OF A RECEIVER TO FURNISH A BOND PAYABLE TO THE ADVERSE PARTY.

On motion of Representative Slaughter, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (83-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

The Speaker presiding.

Committee Substitute for H. B. 1419, A BILL TO BE ENTITLED AN ACT TO PROHIBIT USE OF BORROWERS' INSURANCE INFORMATION BY LENDERS EXCEPT FOR THE EXTENSION OF CREDIT.

Representative Brawley requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

The bill passes its second reading, by electronic vote (83-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 1382, A BILL TO BE ENTITLED AN ACT TO PERMIT EMPLOYEES OF THE STATE EMPLOYEES' CREDIT UNION THE OPTION OF TERMINATING MEMBERSHIP IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM, passes its second reading, by electronic vote (84-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. B. 490, AN ACT TO PERMIT DEDUCTION OF CERTAIN EMPLOYEE CONTRIBUTIONS TO QUALIFIED RETIREMENT PLANS.

S. B. 157, AN ACT TO AUTHORIZE HIGH SCHOOL EMPLOYEES DESIGNATED BY THE SCHOOL BOARD AND APPOINTED BY THE COUNTY BOARD OF ELECTIONS TO REGISTER VOTERS.

S. B. 544, AN ACT TO EXEMPT CERTAIN RELIGIOUS, NONPROFIT CONFERENCE CENTERS FROM THE COVERAGE OF THE WAGE AND HOUR LAWS.

H. B. 604, AN ACT TO AMEND THE STATUTES CONCERNING VARIOUS BOARDS AND COMMISSIONS IN THE DEPARTMENT OF CORRECTION.

H. B. 1127, AN ACT TO AMEND G. S. 143B-417 TO PROVIDE THAT THE JUSTICES OF THE SUPREME COURT AND JUDGES OF THE COURT OF APPEALS BE INCLUDED AMONG THE OFFICES TO WHICH STUDENT INTERNS MAY BE ASSIGNED.

H. B. 1167, AN ACT SETTING A TIME LIMIT FOR FILING THE FINAL AFFIDAVIT FOR ADMINISTRATION OF A SMALL ESTATE.

H. B. 1367, AN ACT TO CORRECT A TECHNICAL CONFLICT BETWEEN CHAPTER 567 AND CHAPTER 561 OF THE SESSION LAWS OF 1983.

S. J. R. 585, A JOINT RESOLUTION RECOGNIZING AND CLARIFYING THE POLICY OF THIS STATE TO AFFORD THE OPPORTUNITY FOR MENTALLY AND DEVELOPMENTALLY DISABLED PERSONS FOR ADEQUATE COMMUNITY SUPPORT SERVICES.

H. J. R. 1360, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JOHN COLTRANE.

H. B. 278, AN ACT TO ENACT THE TAX ADJUSTMENT ACT OF 1983.

On motion of Representative Hunt, seconded by Representative Miller, the House adjourns to reconvene Monday, July 11, 1983 at 8:00 p.m.

ONE HUNDRED TWENTY-NINTH DAY

HOUSE OF REPRESENTATIVES
Monday, July 11, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Edwards.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of July 8 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Brannan, N. J. Crawford, Jordan, Lacey, and Stamey for tonight.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Wright for the Committee on Judiciary No. 2:

S. B. 315, A BILL TO BE ENTITLED AN ACT REGARDING INSPECTIONS OF FIRE-DAMAGED PROPERTY WITH AN INSPECTION WARRANT, with a favorable report.

By Representative Hunt for the Committee on Rules and Operation of the House:

H. J. R. 1423, A JOINT RESOLUTION TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE ESTABLISHMENT OF GUIDELINES FOR THE MANAGEMENT AND USE OF INVESTMENTS HELD BY ELEEMOSYNARY INSTITUTIONS AND FUNDS, with a favorable report.

On motion of Representative Musselwhite, the rules are suspended and the resolution is placed on today's Calendar.

On motion of Representative Quinn, S. B. 666, A BILL TO BE ENTITLED AN ACT TO GRANT A PARTIAL TAX EXEMPTION FOR GASOHOL MADE FROM AGRICULTURAL OR FORESTRY WASTE PRODUCTS OR BY-PRODUCTS, is withdrawn from the Committee on Rules and Operation of the House and is re-referred to the Committee on Finance.

SUSPENSION OF RULES TO INTRODUCE LOCAL BILL

On motion of Representative Tennille, Rule 31.1 is suspended by a two-thirds majority vote in order for a local bill to be filed.

On motion of Representative James, Rule 31.1 is suspended by a two-thirds majority vote in order for a local bill to be filed.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Easterling, Brennan, Colton, and Foster:

H. J. R. 1439, A JOINT RESOLUTION TO PERMIT THE LEGISLATIVE RESEARCH COMMISSION TO STUDY CHILD SUPPORT AND HOW TO ESTABLISH MORE EFFECTIVE AND EFFICIENT PROCEDURES TO INSURE ITS COLLECTION, is referred to the Committee on Appropriations.

By Representative Stamey:

H. J. R. 1441, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE PROBLEM OF THE POSSIBLE CONTAMINATION OF UNPACKAGED FOODS, is referred to the Committee on Appropriations.

By Representatives Brannan and B. Woodard:

H. B. 1442, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO JOHNSTON COUNTY FOR RUNWAY EXPANSION AT THE JOHNSTON COUNTY AIRPORT, is referred to the Committee on Appropriations.

On motion of Representative Tennille, the rules are suspended and the following is read the first time:

By Representative Tennille:

H. B. 1443, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE BUTNER FIRE AND POLICE PROTECTION DISTRICT, is referred to the Committee on Finance.

On motion of Representative James, the rules are suspended and the following is read the first time:

By Representative James:

H. B. 1444, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF COROLLA IN CURRITUCK COUNTY, is referred to the Committee on Finance.

MESSAGE FROM THE SENATE

The following are received from the Senate:

H. B. 1344, A BILL TO BE ENTITLED AN ACT TO AMEND QUALIFICATIONS FOR LICENSURE FOR NURSING HOME ADMINISTRATORS, is returned for concurrence in Senate amendment and is placed on the Calendar for July 12, 1983.

S. B. 633, A BILL TO BE ENTITLED AN ACT TO MODIFY THE JUVENILE ADMISSION LAWS, is read the first time and is referred to the Committee on Rules and Operation of the House.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 8, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the Senate fails to concur in House Committee Substitute for S. B. 141, A BILL TO BE ENTITLED AN ACT TO REWRITE THE PUBLIC HEALTH LAWS, and requests conferees. The President appoints Senators Lawing, O. Harris, Hardison, Royall, Swain, Rauch, and Hancock on the part of the Senate to confer with a like committee appointed by the House to the end that the differences arising may be adjusted.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

CALENDAR

Action is taken on the following:

Senate Committee Substitute for H. B. 776, A BILL TO BE ENTITLED AN ACT TO MAKE MISCELLANEOUS CHANGES IN LOCAL LAWS AFFECTING ORANGE COUNTY, passes its third reading for concurrence, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Allran, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Church, Coble, Cochrane, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hayden, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, James, Jarrell, Jones, Keesee, Kennedy, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Miller, Murphy, Musselwhite, Owens, Payne, Pool, Pulley, Quinn, Rabon, Redding, Roberts, Seymour, Slaughter, Sparrow, Spaulding, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, and B. Woodard—92.

Voting in the negative: None.

Excused absences: Representatives Brannan, N. J. Crawford, Helms, Jordan, Lacey, and Stamey—6.

Committee Substitute for H. B. 1003, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT IF PROPERTY OWNED BY A LOCAL BOARD OF EDUCATION IS NO LONGER SUITABLE OR NECESSARY FOR PUBLIC SCHOOL PURPOSES, THE BOARD OF COUNTY COMMISSIONERS HAS THE FIRST OPPORTUNITY TO PURCHASE.

On motion of Representative Seymour, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 1433, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING PERSON COUNTY'S ACQUISITION OF PROPERTY BY EMINENT DOMAIN FOR AIRPORT PURPOSES, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Allran, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Coble, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hasty, Hauser, Hayden, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Jarrell, Jeralds, Jones, Keesee, Kennedy, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Nash, Owens, Payne, Pool, Poovey, Pulley, Quinn, Redding, Roberts, Seymour, Sparrow, Spaulding, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright—92.

Voting in the negative: None.

Excused absences: Representatives Brannan, N. J. Crawford, Helms, Jordan, Lacey, and Stamey—6.

Committee Substitute for H. B. 626, A BILL TO BE ENTITLED AN ACT RELATING TO THE GASTON COUNTY POLICE DEPARTMENT, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H. B. 882, A BILL TO BE ENTITLED AN ACT TO REPEAL CHAPTER 331 OF THE SESSION LAWS OF 1981 CONCERNING THE MECKLENBURG COUNTY ALCOHOLIC BEVERAGE CONTROL BOARD, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute No. 2 for H. B. 645, A BILL TO BE ENTITLED AN ACT TO RECODIFY THE PUBLIC HOSPITAL LAWS IN CHAPTERS 131 AND 131B AND IN PORTIONS OF CHAPTER 130 OF THE GENERAL STATUTES.

Representative Adams requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

Representative Pulley offers Amendment No. 3 which is adopted by electronic vote (94-0).

Representative Clark offers Amendment No. 4 which fails of adoption by electronic vote (15-79).

The bill, as amended, passes its third reading, by the following vote, and under suspension of the rules, is ordered sent to the Senate, without engrossment, by Special Message.

Those voting in the affirmative are: Representatives Allran, Anderson, Ballance, Barbee, Beall, Beam, Berry, Black, Blue, Bowen, Brawley, Brennan, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, J. W. Crawford, DeVane, Diamont, Easterling, Economos, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Hunter, Huskins, Jarrell, Jeralds, Jones, Kennedy, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Payne, Pool, Pulley, Quinn, Rabon, Redding, Roberts, Robinson, Seymour, Slaughter, Sparrow, Spaulding, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright—95.

Voting in the negative: Representatives Beard, Clark and Edwards—3.

Excused absences: Representatives Brannan, N. J. Crawford, Jordan, Lacey, and Stamey—5.

Excused votes: Representative Adams.

H. B. 1414, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE CONDEMNATION POWERS OF COUNTY WATER AND SEWER DISTRICTS.

On motion of Representative Bob Etheridge, consideration of the bill is postponed until July 14, 1983.

S. B. 663, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE CONDEMNATION POWERS OF COUNTY WATER AND SEWER DISTRICTS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Allran, Anderson, Ballance, Barbee, Barker, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, J. W. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Hudson, C. Hughes, J. Hughes, Huskins, Jarrell, Keesee, Kennedy, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Roberts, Robinson, Seymour, Sparrow, Spaulding, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Womble, B. Woodard, and Wright—94.

Voting in the negative: Representative Brawley.

Excused absences: Representatives Brannan, N. J. Crawford, Jordan, Lacey, and Stamey—5.

S. B. 14, A BILL TO BE ENTITLED AN ACT TO ELIMINATE MANDATORY RETIREMENT AT AGE 70 FOR PERSONS COVERED UNDER THE STATE EMPLOYEES OR LOCAL GOVERNMENT EMPLOYEES RETIREMENT SYSTEM.

Representative Lancaster calls the previous question on the pending amendment and the call is sustained.

On motion of Representative Lancaster, Pending Amendment No. 2 is adopted by electronic vote (65-38)

Representative Economos moves that the bill be re-referred to the Committee on Pensions and Retirement and this motion fails by electronic vote (45-59).

The bill, as amended, passes its third reading, by electronic vote (80-22), and is ordered sent to the Senate for concurrence in House amendments.

Committee Substitute for H. B. 1356, A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIME OF ABUSING, NEGLECTING OR EXPLOITING A DISABLED ADULT, passes its second reading, by electronic vote (81-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 596, A BILL TO BE ENTITLED AN ACT AUTHORIZING AN INJURED PARTY TO TESTIFY AS TO MEDICAL CHARGES, passes its second reading, by electronic vote (81-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 1365, A BILL TO BE ENTITLED AN ACT TO AMEND THE POWERS AND DUTIES OF THE UTILITIES COMMISSION, passes its second reading, by electronic vote (91-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 1143, A BILL TO BE ENTITLED AN ACT TO PROVIDE FAIR DISCOVERY TO DEFENDANTS IN CRIMINAL PROSECUTIONS.

On motion of Representative Blue, consideration of the bill is postponed until July 12, 1983.

H. J. R. 1411, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JULIAN HAWLEY POOLE, A FORMER MEMBER OF THE GENERAL ASSEMBLY, passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

On motion of Representative Auman, the resolution in it entirety may be found in the Appendix.

H. J. R. 1385, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CLAUDE DEBRUHL, passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

H. B. 1264, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ELECTIONS SHALL NORMALLY BE HELD IN MAY OR NOVEMBER SO AS TO REDUCE THE COST AND FREQUENCY OF SPECIAL ELECTIONS.

On motion of Representative Gentry, consideration of the bill is postponed until July 12, 1983.

H. B. 1403, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTERS 58 AND 66 OF THE GENERAL STATUTES TO ALLOW FOR LIMITED LICENSING OF MOTOR CLUB SALES AGENTS TO PROVIDE INSURANCE.

On motion of Representative Seymour, Committee Amendment No. 1 is adopted.

Representative Hightower offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (89-0) and there being no obejction is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 1380, A BILL TO BE ENTITLED AN ACT TO RECOGNIZE THAT THE SUN HAS SET AND NIGHT SHOULD FALL ON THE LAW ENFORCEMENT OFFICERS' MINIMUM SALARY ACT, passes its second reading, by electronic vote (96-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

H. J. R. 1423, A JOINT RESOLUTION TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE ESTABLISHMENT OF GUIDELINES FOR THE MANAGEMENT AND USE OF INVESTMENTS HELD BY ELEEMOSYNARY INSTITUTIONS AND FUNDS.

On motion of Representative Musselwhite, the resolution is re-referred to the Committee on Appropriations.

House Committee Substitute No. 2 for S. B. 184, A BILL TO BE ENTITLED AN ACT TO ALLOW INCLUSION OF CERTAIN JUVENILE RECORDS IN PRESENTENCE REPORTS.

On motion of Representative Nesbitt, seconded by Representative Hackney, the bill is tabled by electronic vote (65-32)

Committee Substitute for S. B. 102, A BILL TO BE ENTITLED AN ACT TO PRESCRIBE PERFORMANCE STANDARDS FOR MOTOR VEHICLE SUN SCREENING DEVICES.

On motion of Representative Fussell, the bill and pending amendment are re-referred to the Committee on Highway Safety.

S. B. 608, A BILL TO BE ENTITLED AN ACT TO VALIDATE CERTAIN RECORDED MAPS AND PLATS.

On motion of Representative Pulley, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (100-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment.

S. B. 628, A BILL TO BE ENTITLED AN ACT TO GIVE THE STATE BOARD OF ELECTIONS A LONGER PERIOD OF TIME TO DETERMINE NOMINEES FOR THE PRESIDENTIAL PRIMARY, passes its second reading, by electronic vote (95-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. B. 196, AN ACT TO APPROVE THE SOUTHEAST INTERSTATE LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT COMPACT.

H. B. 1130, AN ACT TO CLARIFY THE RAPE VICTIM ASSISTANCE PROGRAM BY SPECIFYING THAT AMBULANCE AND MENTAL HEALTH COUNSELING COSTS ARE COVERED AND TO PROVIDE APPROVED KITS FOR THE COLLECTION OF MEDICAL EVIDENCE IN RAPE CASES.

H. B. 1263, AN ACT AUTHORIZING NEARBY COUNTIES TO JOIN IN THE BERTIE-MARTIN REGIONAL JAIL.

H. B. 53, AN ACT TO MAKE AMENDMENTS CONCERNING THE ADVISORY BUDGET COMMISSION AND OTHER BOARDS TO IMPLEMENT THE RECOMMENDATIONS OF THE COMMITTEE ON SEPARATION OF POWERS.

H. B. 733, AN ACT TO PROVIDE FOR THE LICENSING OF FACILITIES FOR THE MENTALLY ILL, THE MENTALLY RETARDED AND SUBSTANCE ABUSERS.

H. B. 1221, AN ACT TO EXEMPT CERTAIN LIMITED PARTNERSHIP DEBT OBLIGATIONS FROM THE APPLICATION OF THE STATE'S INTEREST LAWS.

H. B. 1260, AN ACT TO MAKE TECHNICAL CONFORMING CHANGES IN THE RAPE INDICTMENT STATUTE AS A RESULT OF CHAPTER 175 OF THE SESSION LAWS OF 1983.

H. B. 1319, AN ACT TO MAKE CERTAIN CHANGES TO VARIOUS CONSUMER PROTECTION STATUTES.

H. B. 1354, AN ACT TO AMEND THE SUBPOENA LAW RELATING TO THE PRODUCTION OF DOCUMENTARY EVIDENCE.

S. B. 618, AN ACT TO GIVE THE CITY OF EDEN AUTHORITY TO ABOLISH THE CITY OF EDEN EMPLOYEES' RETIREMENT SYSTEM UPON TRANSFER OF EMPLOYEES TO THE NORTH CAROLINA LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM.

S. B. 209, AN ACT TO AMEND THE MOTOR VEHICLE LAWS IN CHAPTER 20 OF THE GENERAL STATUTES TO CONFORM TRUCK WEIGHTS ON STATE HIGHWAYS TO THE FEDERAL BRIDGE FORMULA AND TO UPDATE THE STATUTE BY MAKING OTHER CHANGES.

S. B. 217, AN ACT TO PERMIT MEMBERS OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM TO PURCHASE CREDITABLE SERVICE FOR TEMPORARY STATE EMPLOYMENT BY PAYING AN AMOUNT EQUAL TO THE FULL ACTUARIAL LIABILITY.

S. B. 429, AN ACT TO PROVIDE PAYMENT FOR ATTORNEYS OR GUARDIANS AD LITEM FOR CERTAIN PERSONS.

S. B. 504, AN ACT TO CLARIFY THE VENUE FOR THE TRIAL OF FELONY OFFENSES COMMITTED WITHIN THE CORPORATE LIMITS OF A MUNICIPALITY WHICH LIES WITHIN MORE THAN ONE COUNTY.

H. B. 1306, AN ACT TO PERMIT PAYMENT OF DIVIDENDS FOR EMPLOYER GROUPS.

On motion of Representative Hunt, seconded by Representative Jeralds, the House adjourns to reconvene July 12, 1983 at 1:30 p.m.

ONE HUNDRED THIRTIETH DAY

HOUSE OF REPRESENTATIVES
Tuesday, July 12, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Redding.

Representative Fussell, for the Committee on Rules and Operation of the House, reports the Journal of July 11 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives N. J. Crawford, DeVane, Jordan, Lacey, Stamey, and Tyson for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Quinn for the Committee on Finance:

Committee Substitute for H. B. 814, A BILL TO BE ENTITLED AN ACT TO REGULATE THE PRACTICE OF MIDWIFERY, with a favorable report.

On motion of Representative Quinn, the rules are suspended and the bill is placed before the House for immediate consideration.

Representative Hunter offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Ballance, Barbee, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brennan, Brown, Bumgardner, Burnley, Childress, Church, Clark, Cochrane, Colton, Creecy, Easterling, Economos, Edwards, Enloe, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gist, Greenwood, Hackney, Hauser, Hayden, Helms, Hightower, Holt, Hudson, Hunter, Huskins, Jarrell, Jeralds, Jones, Keesee, Kennedy, Lambeth, McAlister, McDowell, Matthews, Mauney, Miller, Nash, Nesbitt, Owens, Poovey, Roberts, Seymour, Slaughter, Sparrow, Spaulding, Tennille, Thomas, Tyndall, Varner, B. Woodard, and Wright — 69.

Voting in the negative: Representatives Allran, Auman, Barker, Brannan, Brawley, Brubaker, Chapin, Coble, J. W. Crawford, Grimsley, Holmes, C. Hughes, Lancaster, Lilley, Mavretic, Murphy, Musselwhite, Payne, Pool, Redding, Robinson, Spoon, Warren, Wicker, and C. Woodard — 25.

Excused absences: Representatives N. J. Crawford, DeVane, Jordan, Lacey, Stamey, and Tyson — 6.

H. B. 1420, A BILL TO BE ENTITLED AN ACT TO ALLOW CITIES TO LEVY PROPERTY TAXES FOR DRAINAGE PROBLEMS, with a favorable report.

On motion of Representative Quinn, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Allran, Ballance, Barbee, Barker, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Colton, J. W. Crawford, Diamont, Easterling, Economos, Edwards, Enloe, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hauser, Hayden, Helms, Hightower, Holt, Hudson, C. Hughes, Hunter, Huskins, James, Jarrell, Jeralds, Kennedy, Lambeth, Lancaster, Lee, Lilley, Lutz, McAlister, Mauney, Mavretic, Murphy, Musselwhite, Nash, Owens, Payne, Pool, Poovey, Rabon, Redding, Roberts, Robinson, Seymour, Slaughter, Sparrow, Spaulding, Spoon, Tennille, Thomas, Tyndall, Varner, Warren, Womble, B. Woodard, and Wright — 85.

Voting in the negative: Representatives Brawley, Cochrane, and C. Woodard — 3.

Excused absences: Representatives N. J. Crawford, DeVane, Jordan, Lacey, Stamey, and Tyson — 6.

H. B. 1443, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE BUTNER FIRE AND POLICE PROTECTION DISTRICT, with a favorable report.

On motion of Representative Quinn, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affiramative are: Representatives Allran, Auman, Ballance, Barbee, Barker, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Colton, Creecy, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hightower, Holmes, Holt, Hudson, C. Hughes, J. Hughes, Huskins, Jarrell, Jeralds, Keesee, Kennedy, Lambeth, Lancaster, Lee, Lilley, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Murphy, Musselwhite, Nash, Owens, Payne, Pool, Poovey, Pulley, Quinn, Redding, Roberts, Robinson, Slaughter, Sparrow, Spoon, Tennille, Thomas, Tyndall, Varner, Warren, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 92.

Voting in the negative: None.

Excused absences: Representatives N. J. Crawford, DeVane, Jordan, Lacey, Stamey, and Tyson — 6.

S. B. 666, A BILL TO BE ENTITLED AN ACT TO GRANT A PARTIAL TAX

EXEMPTION FOR GASOHOL MADE FROM AGRICULTURAL OR FORESTRY WASTE PRODUCTS OR BY-PRODUCTS, with a favorable report.

By Representative Foster for the Committee on Education:

S. B. 567, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 10 OF CHAPTER 115C OF THE GENERAL STATUTES PERTAINING TO VOCATIONAL EDUCATION, with a favorable report.

By Representative Thomas for the Committee on Higher Education:

H. B. 1386, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING ESCHEAT RECEIPTS, with a favorable report, as amended.

By Representative Wright for the Committee on Judiciary No. 2:

H. B. 435, A BILL TO BE ENTITLED AN ACT TO REVISE THE STATUTES RELATING TO A SURVIVING SPOUSE'S RIGHT TO DISSENT FROM THE WILL OF THE DECEASED SPOUSE AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, with an indefinite postponement report.

By Representative Rabon for the Committee on Manufacturers and Labor:

H. B. 721, A BILL TO BE ENTITLED AN ACT TO EXTEND THE FILING PERIOD FOR WORKERS' COMPENSATION CLAIMS WHEN ACCIDENTAL INJURIES ARE NOT DISCOVERED WITHIN TWO YEARS OF THE ACCIDENT, with a favorable report, as amended.

H. B. 1261, A BILL TO BE ENTITLED AN ACT TO PROVIDE WORKERS' COMPENSATION FOR FARM WORKERS ON FARMS WITH TEN OR MORE WORKERS, with a favorable report, as amended.

S. B. 524, A BILL TO BE ENTITLED AN ACT TO EXTEND DEATH BENEFITS UNDER THE WORKERS' COMPENSATION ACT, with a favorable report, as amended.

By Representative Holt for the Committee on Constitutional Amendments:

H. B. 1296, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA CONSTITUTION TO LIMIT THE ANNUAL INCREASE IN THE NUMBER OF STATE EMPLOYEES, with a favorable report.

On motion of the Speaker, the bill is re-referred to the Committee on Constitutional Amendments.

By Representative Miller for the Committee on Judiciary No. 1:

H. B. 416, A BILL TO BE ENTITLED AN ACT TO INCLUDE FELONIOUS BREAKING AND ENTERING WITHIN THE FELONY MURDER RULE, with an indefinite postponement report.

H. B. 520, A BILL TO BE ENTITLED AN ACT REGARDING COHABITATION AS A CHANGED CIRCUMSTANCE FOR ALIMONY, with a favorable report.

Committee Substitute for H. B. 806, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE HIT AND RUN STATUTE TO PROVIDE THAT A DRIVER MUST ONLY HAVE KNOWLEDGE THAT HE WAS INVOLVED IN AN ACCIDENT OR COLLISION AND NOT THAT SUCH ACCIDENT OR COLLISION CAUSED INJURY OR DEATH OR PROPERTY DAMAGE AND TO CLARIFY THE

RESPONSIBILITY OF A DRIVER INVOLVED IN AN ACCIDENT, with an unfavorable report as to Committee Substitute Bill No. 1, favorable as to Committee Substitute Bill No. 2, which changes the title.

Committee Substitute Bill No. 2 is placed on the Calendar for July 14, 1983. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

On motion of Representative Miller, Committee Substitute Bill No. 2 is removed from the Calendar of July 14, 1983 and is re-referred to the Committee on Judiciary No. 1.

Committee Substitute for H. B. 1119, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTE RELATING TO PAYMENT AND PERFORMANCE BONDS FOR PUBLIC CONTRACTS, with an unfavorable report as to Committee Substitute Bill No. 1, favorable as to Committee Substitute Bill No. 2.

Committee Substitute Bill No. 2 is placed on the Calendar for July 14, 1983. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

By Representative Lancaster for the Committee on Judiciary No. 3:

H. B. 1158, A BILL TO BE ENTITLED AN ACT TO LIMIT THE AUTHORITY OF OCCUPATIONAL LICENSING BOARDS TO DISQUALIFY PERSONS FROM LICENSING, with an indefinite postponement report.

H. B. 1338, A BILL TO BE ENTITLED AN ACT REPLACING CHAPTER 14 OF THE GENERAL STATUTES WITH A NEW CRIMINAL CODE, with an indefinite postponement report.

By Representative Helms for the Committee on Courts and Administration of Justice:

H. B. 1058, A BILL TO BE ENTITLED AN ACT TO REQUIRE CLERKS OF COURT TO DEPOSIT FUNDS RECEIVED BY THEM TO BE DISBURSED TO THE COUNTIES IN AN INTEREST-BEARING ACCOUNT, with an indefinite postponement report.

S. B. 333, A BILL TO BE ENTITLED AN ACT TO REDUCE THE YEARS A JUDGE MUST HAVE SERVED BEFORE RETIREMENT TO QUALIFY AS AN EMERGENCY JUDGE, with a favorable report, as amended.

By Representative Pulley for the Committee on Judiciary No. 4:

H. B. 701, A BILL TO BE ENTITLED AN ACT TO MAKE ADMISSIBLE DECLARATIONS MADE UNDER THE BELIEF OF IMPENDING DEATH EVEN THOUGH THE DECLARANT DOES NOT DIE BUT BECOMES PHYSICALLY OR MENTALLY UNAVAILABLE, with an indefinite postponement report.

H. B. 1129, A BILL TO BE ENTITLED AN ACT TO INCLUDE VESTED PENSION OR RETIREMENT RIGHTS IN MARITAL PROPERTY FOR PURPOSES OF EQUITABLE DISTRIBUTION, with an unfavorable report as to bill, favorable as to committee substitute bill.

On motion of Representative Watkins, the rules are suspended and the bill is placed on today's Calendar.

H. B. 1355, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR REGISTRATION OF A MEMORANDUM OF A SALES CONTRACT CONCERNING LAND, with an indefinite postponement report.

By Representative Bruce Ethridge for the Committee on Natural and Economic Resources:

H. B. 991, A BILL TO BE ENTITLED AN ACT TO PLACE A MORATORIUM ON THE USE OF HAZARDOUS WASTE LANDFILL FACILITIES FOR LANDFILLS NOT AN INTEGRAL PART OF A TREATMENT FACILITY, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for July 14, 1983. The original bill is placed on the Unfavorable Calendar.

By Representative Hunt for the Committee on Rules and Operation of the House:

H. J. R. 1019, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY PRIVILEGE LICENSE TAXES, with a favorable report and recommendation that the resolution be re-referred to the Committee on Appropriations.

H. J. R. 1294, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO REVIEW AND STREAMLINE PROCEDURES FOR APPEALS OF DECISIONS TO APPROVE OR DENY A CERTIFICATE OF NEED, with an unfavorable report as to resolution, favorable as committee substitute resolution, which changes the title.

On motion of Representative Pulley, the rules are suspended and the substitute resolution is placed on the Calendar for July 13, 1983. The original resolution is placed on the Unfavorable Calendar.

H. J. R. 1328, A JOINT RESOLUTION ENCOURAGING THE SECRETARY OF TRANSPORTATION AND THE BOARD OF TRANSPORTATION TO INSTALL "LOGOS" ON ALL INTERSTATE HIGHWAYS, with an unfavorable report.

H. J. R. 1412, A JOINT RESOLUTION REQUESTING THAT THE LEGISLATIVE RESEARCH COMMISSION STUDY MASS TRANSPORTATION AND PUBLIC TRANSPORTATION, with a favorable report and recommendation that the resolution be re-referred to the Committee on Appropriations.

INTRODUCTION OF BILLS AND RESOLUTIONS

On motion of Representative Seymour, the rules are suspended and the following is read the first time.

By Representative Seymour:

H. J. R. 1445, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE REGULATION OF TELEPHONE AND TELECOMMUNICATIONS SERVICES IN LIGHT OF CHANGES IN THE STRUCTURE, FEDERAL REGULATION AND TECHNOLOGY RELATING TO THESE SERVICES, is referred to the Committee on Appropriations.

On motion of Representative Murphy, the rules are suspended and the following is read the first time.

By Representative Murphy:

H. B. 1446, A BILL TO BE ENTITLED AN ACT TO DISTRIBUTE CERTAIN DUPLIN CLERK OF COURT ESCHEATED INTEREST EARNINGS TO A LOCAL DUPLIN COUNTY SCHOLARSHIP FUND, is referred to the Committee on Appropriations.

On motion of Representative Edwards, the rules are suspended and the following is read the first time.

By Representatives Edwards and Jeralds:

H. B. 1448, A BILL TO BE ENTITLED AN ACT APPROPRIATING FUNDS FOR THE DEVELOPMENT OF RESOURCES IN CUMBERLAND COUNTY, is referred to the Committee on Appropriations.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 11, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the Senate fails to concur in House Amendments Nos. 1 and 2, to S. B. 621, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 85B, RELATING TO AUCTIONS AND AUCTIONEERS, and requests conferees. The President appoints Senators Hancock, Lawing, and Marvin on the part of the Senate to confer with a like committee appointed by the House to the end that the differences arising may be adjusted.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

The Speaker announces the appointment of the following conferees on S. B. 621, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 85B, RELATING TO AUCTIONS AND AUCTIONEERS, Representatives Church, DeVane, and Evans and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 11, 1983

Mr. Speaker:

Pursuant to your message that the House of Representatives fails to concur in the two Senate amendments to Committee Substitute for H. B. 56, A BI LL TO BE ENTITLED AN ACT TO AMEND THE SAFE DRIVER INSURANCE PLAN PROVISIONS BY INCREASING THE PROPERTY DAMAGE THRESHOLD FOR CHARGEABLE ACCIDENTS AND ELIMINATING SURCHARGES FOR CERTAIN SPEEDING TRAFFIC VIOLATIONS, and requests conferees, the President appoints Senators Jenkins, Rand, and Lawing on the part of the Senate to confer with a like committee on the part of the House to the end that the differences between the two Bodies may be resolved.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

The Speaker announces the appointment of the following conferees on House Committee Substitute for S. B. 141, A BILL TO BE ENTITLED AN ACT TO REWRITE THE PUBLIC HEALTH LAWS, Representatives B. Woodard, Chairman; Bob Etheridge, Hunter, Beam, Varner, Quinn, Grimsley, and Hackney and the Senate is so notified by Special Message.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for House Committee Substitute for H. B. 315, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN LAWS REGULATING SALES OF ALCOHOLIC BEVERAGES, is returned for concurrence in Senate committee substitute and is referred to the Committee on Law Enforcement.

Senate Committee Substitute No. 2 for House Committee Substitute for H. B. 684, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE CRIME OF INVOLUNTARY SERVITUDE, is returned for concurrence in Senate committee substitute and is referred to the Committee on Judiciary No. 1.

Committee Substitute for H. B. 1277, A BILL TO BE ENTITLED AN ACT TO DENY AUTHORITY TO CASWELL BEACH TO EXERCISE JURISDICTION UNDER ARTICLE 19 OF CHAPTER 160A OF THE GENERAL STATUTES OVER FORT CASWELL, is returned for concurrence in Senate amendment and is placed on the Calendar for July 13, 1983.

H. B. 1409, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 600 OF THE SESSION LAWS OF 1983 CONCERNING THE DATE OF THE SPECIAL ELECTION TO INCORPORATE THE TOWN OF LYNN, is returned for concurrence in Senate amendment and is placed on the Calendar for July 13, 1983.

Committee Substitute for S. B. 556, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 143-134.1 TO REQUIRE TIMELY PAYMENTS TO SUBCONTRACTORS AND TO PREVENT RETAINAGE PERCENTAGES ON SUBCONTRACT PAYMENTS TO EXCEED THOSE ON PRIME CONTRACT PAYMENTS, is read the first time and is referred to the Committee on Rules and Operation of the House.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

S. B. 671, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN ADDITIONAL DEPUTY SHERIFFS IN CARTERET COUNTY TO PURCHASE AUTOMOBILES FROM STATE SURPLUS, is read the first time.

On motion of Representative Bruce Ethridge, the rules are suspended, and the bill is placed on the Calendar.

Representative Seymour sends forth the following Conference Report and moves its adoption.

CONFERENCE REPORT

July 12, 1983

TO: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on the House Committee Substitute for H. B. 56 (Second Edition), A BILL TO BE ENTITLED AN ACT TO AMEND THE SAFE DRIVER INSURANCE PLAN PROVISIONS BY INCREASING THE PROPERTY DAMAGE THRESHOLD FOR CHARGEABLE ACCIDENTS AND ELIMINATING

SURCHARGES FOR CERTAIN SPEEDING TRAFFIC VIOLATIONS, wish to report as follows: The Conference Committee recommends that the differences between the Senate and House of Representatives regarding the House Committee Substitute for House Bill 56 (Second Edition) be resolved by the adoption of the text attached to this CONFERENCE REPORT.

Section 1. Article 3 of Chapter 58 of the General Statutes is amended by adding a new section to read:

"§ 58-30.5. **Major and minor chargeable accidents and certain speeding traffic violations under the Safe Driver Insurance Plan.**—(a) The subclassification plan promulgated pursuant to G. S. 58-30.4 shall provide for separate surcharges for major chargeable accidents and minor chargeable accidents. 'Major chargeable accident' means a chargeable accident that results in (a) bodily injury or death or (b) damage in excess of five hundred dollars ($500.00) to any combination of (i) property not owned by the applicant nor by any current resident operator and (ii) his motor vehicle. 'Minor chargeable accident' means a chargeable accident that results in damage of five hundred dollars ($500.00) or less to any combination of (i) property not owned by the applicant nor by any current resident operator and (ii) his motor vehicle.

(b) The subclassification plan shall provide that with respect to a conviction for a 'violation of speeding 10 miles per hour or less over the speed limit' there shall be no premium surcharge nor any assessment of points unless there is a driving record consisting of a conviction or convictions for a moving traffic violation or violations during the three years immediately preceding the date of application or the preparation of the renewal.

(c) The North Carolina Rate Bureau shall promulgate a revised subclassification plan to reflect the provisions of this section. Such plan shall be subject to the filing, hearing, disapproval, review, and appeal procedures before the Commissioner and the courts as provided for rates and classification plans in G. S. 58-124.20, 58-124.21, and 58-124.22. The Bureau shall make a filing no later than September 1, 1983, and such plan so promulgated shall become effective January 1, 1984. Such plan shall apply only to chargeable accidents and violations of speeding 10 miles per hour or less over the speed limit that occur on or after January 1, 1984. With respect to any chargeable accidents or violations of speeding 10 miles per hour or less over the speed limit occurring prior to January 1, 1984, the surcharge and period for which such surcharge is applied and collected shall be determined by the subclassification plan in effect at the time such chargeable accident or violation of speeding 10 miles per hour or less over the speed limit occurs.

(d) For the purposes of subsections (b) and (c) of this section, a 'violation of speeding 10 miles per hour or less over the speed limit' does not include the offense of speeding in a school zone in excess of the posted school zone speed limit.

(e) Any adjustments in rates for nonfleet passenger motor vehicle insurance to offset any reduction in premium level due to the implementation of the provisions of this section shall be made through adjustments to the base rates for the affected coverages. Such adjustments shall be filed by the Bureau with the Commissioner in accordance with the standards and procedures of Articles 12B and 25A of this Chapter. In no event shall such adjustments be deemed to be changes in the total combined general rate level within the meaning of G. S. 58-124.26."

Sec. 2. The catch line of G. S. 58-30.4 is amended by changing the period to a semicolon and by adding the following: **"Safe Driver Insurance Plan."**

Sec. 3. G. S. 58-30.4 is amended by rewriting the sentence that begins on line 17 with the word "The" to read: "The subclassification plan to be effective January 1, 1984, shall provide that in a policy insuring more than one motor vehicle, driving record premium surcharges for chargeable accidents and moving traffic violations shall be distributed equally among the motor vehicles so insured."

Sec. 4. This act is effective upon ratification.

To this end the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 12th day of July, 1983.

Conferees for the	*Conferees for the*
House of Representatives	*Senate*
S/ Mary P. Seymour	S/ Cecil R. Jenkins, Jr.
S/ Charles M. Beall	S/ W. Craig Lawing
S/ Hugh Lee	S/ Anthony E. Rand

The Conference Report is adopted, by electronic vote (94-0), and the Senate is so notified by Special Message.

CALENDAR

Action is taken on the following:

H. B. 1344, A BILL TO BE ENTITLED AN ACT TO AMEND QUALIFICATIONS FOR LICENSURE FOR NURSING HOME ADMINISTRATORS.

On motion of Representative Holt, the House concurs in the Senate amendment and the bill is ordered enrolled.

S. B. 671, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN ADDITIONAL DEPUTY SHERIFFS IN CARTERET COUNTY TO PURCHASE AUTOMOBILES FROM STATE SURPLUS, passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 663, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE CONDEMNATION POWERS OF COUNTY WATER AND SEWER DISTRICTS, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Allran, Ballance, Barbee, Barker, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Colton, J. W. Crawford, Creecy, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Greenwood, Hackney, Hauser, Hayden, Helms, Hightower, Holt, Hudson, C. Hughes, Hunter, Huskins, James, Jarrell, Jeralds, Kennedy, Lambeth, Lancaster, Lee, Lilley, Lutz, McAlister, McDowell, Mauney, Mavretic, Murphy, Musselwhite, Nash, Owens, Payne, Pool, Poovey, Rabon, Redding, Roberts, Robinson, Seymour, Slaughter, Sparrow, Spaulding, Spoon, Tennille, Thomas, Tyndall, Varner, Warren, Womble, B. Woodard, C. Woodard, and Wright — 90.

Voting in the negative: None.

Excused absences: Representatives N. J. Crawford, DeVane, Jordan, Lacey, Stamey, and Tyson — 6.

Representative Church sends forth the following Conference Report and moves its adoption:

CONFERENCE REPORT

July 12, 1983

TO: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on S. B. 621, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 85B, RELATING TO AUCTIONS AND AUCTIONEERS, wish to report as follows: The Senate concurs in House Amendments # 1 and # 2. The bill is further amended on page 3, line 21, by deleting "July 1, 1983", and inserting in lieu thereof "August 1, 1983".

To this end the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 12th day of July, 1983.

Conferees for the Senate
S/ W. Craig Lawing
S/ Helen Rhyne Marvin
S/ W. Gerry Hancock, Jr.

Conferees for the House of Representatives
S/ John T. Church
S/ Charles D. Evans

The Conference Report is adopted, by electronic vote (84-0), and the Senate is so notified by Special Message.

CALENDAR (continued)

Committee Substitute for H. B. 1143, A BILL TO BE ENTITLED AN ACT TO PROVIDE FAIR DISCOVERY TO DEFENDANTS IN CRIMINAL PROSECUTIONS.

Representative Watkins offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (83-3), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Committee Substitute for H. B. 987, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES AND CITIES TO REGULATE ABANDONED, JUNKED VEHICLES FOR AESTHETIC PURPOSES.

Representative Lilley offers Amendment No. 1 which is adopted.

Representative Poovey moves, seconded by Representative Ballance, that the bill do lie upon the table and this motion fails by electronic vote (29-66).

Representative Evans calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its second reading by electronic vote (56-43).

Representative Nesbitt objects to the third reading. The bill remains on the Calendar.

Committee Substitute for H. B. 1065, A BILL TO BE ENTITLED AN ACT TO PROVIDE EQUITY FOR VOTING BY DISABLED AND ELDERLY PERSONS.

On motion of Representative Creecy, seconded by Representative Barbee, the bill is tabled by electronic vote (64-34).

H. B. 1264, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ELECTIONS SHALL NORMALLY BE HELD IN MAY OR NOVEMBER SO AS TO REDUCE THE COST AND FREQUENCY OF SPECIAL ELECTIONS.

On motion of Representative Gentry, consideration of the bill is postponed until July 13, 1983.

Committee Substitute for H. B. 1069, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY EXTENSION OF THE READABLE INSURANCE POLICIES ACT TO ALL LINES OF INSURANCE, passes its second reading, by electronic vote (89-1), and there being no objection is read a third time.

The bill passes its third reading and is ordrered sent to the Senate.

Committee Substitute for H. B. 738, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR STRICT LIABILITY FOR DAMAGES RESULTING FROM HAZARDOUS WASTES IN NORTH CAROLINA.

Representative Musselwhite offers Amendment No. 1.

On motion of Representative Hackney, seconded by Representative Payne, Amendment No. 1 is tabled by electronic vote (59-31).

Representative Musselwhite offers Amendment No. 2.

On motion of Representative Clark, seconded by Representative Payne, Amendment No. 2 is tabled by electronic vote (57-37).

Representative Musselwhite offers Amendment No. 3.

On motion of Representative Clark, seconded by Representative Payne, Amendment No. 3 is tabled by electronic vote (61-33).

The bill passes its second reading, by electronic vote (84-13), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate.

Committee Substitute for H. B. 376, A BILL TO BE ENTITLED AN ACT RELATING TO THE DISPOSITION OF ANIMALS BY ANIMAL SHELTERS AND POUNDS.

Representative Wright offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (90-2), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

Committee Substitute for H. B. 1352, A BILL TO BE ENTITLED AN ACT TO PROVIDE A FAIR PROCEDURE IN PARTITION SALES.

Representative Lancaster offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading by electronic vote (94-2).

Representative Lancaster objects to the third reading. The bill remains on the Calendar.

Committee Substitute for H. B. 1129, A BILL TO BE ENTITLED AN ACT TO INCLUDE VESTED PENSION OR RETIREMENT RIGHTS IN MARITAL PROPERTY FOR PURPOSES OF EQUITABLE DISTRIBUTION.

Representative Pulley offers Amendment No. 1 which is adopted.

Representative Lancaster moves that the bill be re-referred to the Committee on Judiciary No. 4.

On motion of Representative Watkins, seconded by Representative Hackney, the motion to re-refer the bill is tabled by electronic vote (67-25).

Representative Lancaster offers Amendment No. 2.

Representative Diamont requests that he be excused from voting on Amendment No. 2 under Rule 24.1A and this request is granted.

On motion of Representative Watkins, seconded by Representative Hackney, Amendment No. 2 is tabled by electronic vote (82-15).

The bill, as amended, passes its second reading, by electronic vote (89-10), and there being no objection is read a third time.

Representative Watkins calls the previous question on the third reading of the bill and the call is sustained.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

House Committee Substitute for Senate Committee Substitute for S. B. 475, A BILL TO BE ENTITLED AN ACT TO CLARIFY WHAT INFORMATION MAY BE USED FOR PROOF OF LOSS UNDER LIFE INSURANCE POLICIES, passes its second reading, by electronic vote (92-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute.

S. B. 315, A BILL TO BE ENTITLED AN ACT REGARDING INSPECTIONS OF FIRE-DAMAGED PROPERTY WITH AN INSPECTION WARRANT, passes its second reading, by electronic vote (92-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. B. 628, AN ACT TO GIVE THE STATE BOARD OF ELECTIONS A LONGER PERIOD OF TIME TO DETERMINE NOMINEES FOR THE PRESIDENTIAL PRIMARY.

H. B. 776, AN ACT TO MAKE MISCELLANEOUS CHANGES IN LOCAL LAWS AFFECTING ORANGE COUNTY.

H. B. 1003, AN ACT TO PROVIDE THAT IF PROPERTY OWNED BY A LOCAL BOARD OF EDUCATION IS NO LONGER SUITABLE OR NECESSARY FOR PUBLIC SCHOOL PURPOSES, THE BOARD OF COUNTY COMMISSIONERS HAS THE FIRST OPPORTUNITY TO PURCHASE.

H. J. R. 1385, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF CLAUDE DEBRUHL.

H. J. R. 1411, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JULIAN HAWLEY POOLE, A FORMER MEMBER OF THE GENERAL ASSEMBLY.

On motion of Representative Hunt, seconded by Representative Bowen, the House adjourns to reconvene July 13, 1983 at 1:30 p.m.

ONE HUNDRED THIRTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Wednesday, July 13, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Locks.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of July 12 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives N. J. Crawford, Jordan, Lacey, and Stamey for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Lilley for the Committee on Local Government No. 1:

H. B. 183, A BILL TO BE ENTITLED AN ACT TO REQUIRE A REFERENDUM BEFORE ANNEXATION IF REQUESTED BY FIFTEEN PERCENT OF THE VOTERS IN THE AREA TO BE ANNEXED OR THE EXISTING CITY, with an indefinite postponement report.

H. B. 853, A BILL TO BE ENTITLED AN ACT TO PROVIDE ECONOMIC GROWTH THROUGH TOURISM IN NEW HANOVER COUNTY, with an indefinite postponement report.

Senate Committee Substitute for H. B. 864, A BILL TO BE ENTITLED AN ACT TO REPEAL PREVIOUS NEW HANOVER COUNTY LOCAL ACTS CONCERNING TAXING AND REGULATION OF PROFESSIONAL BONDSMEN, AND ESTABLISHING A LAW LIBRARY, with recommendation that the House concur.

On motion of Representative Lilley, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Lilley, the House concurs in the Senate committee substitute, which changes the title, and the bill is ordered enrolled.

By Representative Nesbitt for the Committee on Small Business:

Senate Committee Substitute for House Committee Substitute for H. B. 567, A BILL TO BE ENTITLED AN ACT TO AMEND THE GENERAL STATUTES 14-107 TO MANDATE RESTITUTION FOR WORTHLESS CHECKS THROUGH COMMUNITY SERVICE WORK, IF NEEDED, with recommendation that the House concur.

On motion of Representative Nesbitt, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Nesbitt, the House concurs in the Senate committee substitute, which changes the title, and the bill is ordered enrolled.

H. B. 941, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 20 RELATING TO THE MOTOR VEHICLE DEALERS AND MANUFACTURERS LICENSING LAW, with an indefinite postponement report.

H. B. 1178, A BILL TO BE ENTITLED AN ACT ESTABLISHING AN ASSIGNED RISK PLAN FOR BID, PAYMENT, PERFORMANCE, MAINTENANCE, AND OTHER BONDS, with an indefinite postponement report.

H. B. 1179, A BILL TO BE ENTITLED AN ACT TO REGULATE THE RELATIONSHIP BETWEEN FRANCHISORS AND FRANCHISE HOLDERS IN NORTH CAROLINA FOR AUTOMOBILE PARTS AND SERVICES, EXCLUDING FRANCHISED DEALERS, AND TO ESTABLISH JURISDICTION, with an indefinite postponement report.

By Representative B. Woodard for the Committee on Health:

H. B. 373, A BILL TO BE ENTITLED AN ACT AUTHORIZING COUNTIES WITH A SPECIFIED POPULATION TO DESIGNATE HEALTH CARE PROFESSIONALS RESPONSIBLE FOR PATIENT CARE IN PRE-HOSPITAL MEDICAL EMERGENCIES, with an indefinite postponement report.

H. B. 766, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 90-107 TO CLARIFY THE FACT THAT A WARRANT IS NOT REQUIRED FOR AN INSPECTION OF PRESCRIPTIONS, STOCKS, ETC., CONDUCTED PURSUANT TO THAT STATUTE, with an indefinite postponement report.

H. B. 1166, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE PERSONS TO VACCINATE THEIR OWN ANIMALS AGAINST RABIES, with an indefinite postponement report.

H. B. 1317, A BILL TO BE ENTITLED AN ACT TO DIRECT THE SOCIAL SERVICES COMMISSION TO PERMIT REST HOME AIDES TO GIVE INSULIN SHOTS TO DIABETICS UPON LOCAL HEALTH BOARD CERTIFICATION, with an indefinite postponement report.

H. B. 1349, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE BOARD OF SPEECH AND LANGUAGE PATHOLOGY AND AUDIOLOGY, with an indefinite postponement report.

By Representative Seymour for the Committee on Public Utilities:

H. B. 1205, A BILL TO BE ENTITLED AN ACT TO EMPOWER THE UTILITIES

COMMISSION TO EXEMPT PERSONS PROVIDING RADIO COMMON CARRIER TYPE SERVICES FROM REGULATION IN COMMUNITIES IN WHICH SUCH SERVICES ARE BEING PROVIDED BY MORE THAN ONE PERSON, with a favorable report, as amended.

By Representative Wicker for the Committee on Law Enforcement:

Senate Committee Substitute for House Committee Substitute for H. B. 315, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN LAWS REGULATING SALES OF ALCOHOLIC BEVERAGES, with recommendation that the House concur.

On motion of Representative Wicker, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Wicker, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

By Representative Church for the Committee on State Government:

H. B. 935, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA COMMISSION ON SECURITY AND PRIVACY OF COMPUTERIZED CRIMINAL HISTORY RECORD INFORMATION, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

The substitute bill is placed on the Calendar for July 15, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 939, A BILL TO BE ENTITLED AN ACT TO REVISE G. S. 143-16 RELATING TO AGENCY BUDGETS, with an indefinite postponement report.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Holt:

H. B. 1447, A BILL TO BE ENTITLED AN ACT TO PROVIDE PROTECTION FOR PRIVATE SOLID WASTE COLLECTION SERVICES WHEN A MUNICIPALITY ANNEXES, is referred to the Committee on Local Government No. 1.

On motion of Representative Bob Etheridge, the rules are suspended and the following is read the first time:

By Representatives Bob Etheridge and Wicker:

H. B. 1449, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE GENERAL WILLIAM C. LEE MEMORIAL MUSEUM COMMISSION, is referred to the Committee on Appropriations.

On motion of Representative Auman, the rules are suspended and the following is read the first time:

By Representative Auman:

H. B. 1450, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR RESTORATION OF UNION STATION IN ABERDEEN FOR USE AS A COMMUNITY CENTER, is referred to the Committee on Appropriations.

On motion of Representative Payne, the rules are suspended and the following is read the first time.

By Representatives Payne, Rabon, and Rhodes:

H. B. 1451, A BILL TO BE ENTITLED AN ACT TO CONFORM SUBCHAPTER 1 OF CHAPTER 76A OF THE GENERAL STATUTES AFFECTING THE CAPE FEAR RIVER NAVIGATION AND PILOTAGE COMMISSION WITH THE PROVISIONS OF SUBCHAPTER 2 OF CHAPTER 76A AFFECTING THE MOREHEAD CITY NAVIGATION AND PILOTAGE COMMISSION, is referred to the Committee on Judiciary No. 1.

On motion of Representative Locks, the rules are suspended and the following is read the first time:

By Representatives Locks, DeVane, and Hasty:

H. B. 1452, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ROBESON COUNTY COMMUNITY CENTER, is referred to the Committee on Appropriations.

On motion of Representative Miller, Senate Committee Substitute No. 2 for House Committee Substitute for H. B. 684, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE CRIME OF INVOLUNTARY SERVITUDE, is withdrawn from the Committee on Judiciary No. 1.

On motion of Representative Miller, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Miller, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for H. B. 642, A BILL TO BE ENTITLED AN ACT TO CLARIFY STATE RESPONSIBILITY FOR JAILER TRAINING AND CERTIFICATION, is returned for concurrence in Senate committee substitute and is referred to the Committee on Corrections.

Senate Committee Substitute for H. B. 954, A BILL TO BE ENTITLED AN ACT TO REGULATE THE PURCHASE OF MUTUAL BURIAL ASSOCIATIONS, is returned for concurrence in Senate committee substitute.

On motion of Representative Pulley, the rules are suspended and the bill is placed on the Calendar for July 14, 1983.

Committee Substitute for H. B. 1331, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS TECHNICAL AMENDMENTS TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION, is returned for concurrence in two Senate amendments and is placed on the Calendar for July 14, 1983.

Senate Committee Substitute for H. B. 1401, A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE HENDERSON COUNTY JAIL SHALL BE OPERATED AS PROVIDED BY GENERAL LAW, is returned for concurrence in Senate committee substitute and is placed on the Calendar for July 14, 1983.

Committee Substitute for S. J. R. 613, A JOINT RESOLUTION OF THE INTENT OF THE GENERAL ASSEMBLY TO BE INVOLVED IN THE USE OF FUNDS THROUGH THE JOB TRAINING PARTNERSHIP ACT, is read the first time and is referred to the Committee on Rules and Operation of the House.

COMMITTEE REPORTS (continued)

By Representative McDowell for the Committee on Corrections:

Senate Committee Substitute for H. B. 642, A BILL TO BE ENTITLED AN ACT TO CLARIFY STATE RESPONSIBILITY FOR JAILER TRAINING AND CERTIFICATION, with recommendation that the House concur.

On motion of Representative McDowell, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative McDowell, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 13, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the Senate adopts the report of the conferees on S. B. 621, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 85B, RELATING TO AUCTIONS AND AUCTIONEERS, to the end that when a similar action has been taken on the part of the House, we will order the bill enrolled.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

On motion of Representative Hunt, seconded by Representative Tennille, the rules are suspended by a two-thirds majority in order that all bills passed may be sent to the Senate by Special Message.

CALENDAR

Action is taken on the following:

Committee Substitute for H. B. 1277, A BILL TO BE ENTITLED AN ACT TO DENY AUTHORITY TO CASWELL BEACH TO ANNEX OR EXERCISE EXTRATERRITORIAL JURISDICTION OVER FORT CASWELL.

On motion of Representative Womble, the House concurs in the Senate amendment, which changes the title, and the bill is ordered enrolled.

H. B. 1409, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 600 OF THE SESSION LAWS OF 1983 CONCERNING THE DATE OF THE SPECIAL ELECTION TO INCORPORATE THE TOWN OF LYNN.

On motion of Representative Owens, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 1443, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE BUTNER FIRE AND POLICE PROTECTION DISTRICT, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Allran, Auman, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brawley,

Brennan, Brown, Bumgardner, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, J. W. Crawford, Creecy, DeVane, Easterling, Economos, Edwards, Enloe, Bruce Ethridge, Fenner, Fletcher, Foster, Fulcher, Gentry, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hightower, Holt, Hudson, C. Hughes, J. Hughes, Hunter, Huskins, Jarrell, Jeralds, Jones, Keesee, Kennedy, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Redding, Rhodes, Roberts, Robinson, Seymour, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Wicker, B. Woodard, C. Woodard, and Wright — 94.

Voting in the negative: None.

Excused absences: Representatives N. J. Crawford, Jordan, Lacey, and Stamey — 4.

The Speaker presiding.

Committee Substitute for H. B. 814, A BILL TO BE ENTITLED AN ACT TO REGULATE THE PRACTICE OF MIDWIFERY.

Representative Grimsley offers Amendment No. 2.

On motion of Representative Miller, seconded by Representative Beam, Amendment No. 2 is tabled by electronic vote (55-52).

Representative Miller calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its third reading, by the following vote and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Anderson, Ballance, Barbee, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Brennan, Brown, Bumgardner, Burnley, Childress, Church, Clark, Coble, Cochrane, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Diamont, Easterling, Economos, Edwards, Enloe, Bruce Ethridge, Fenner, Fletcher, Foster, Fulcher, Gentry, Gillam, Gist, Greenwood, Hackney, Hauser, Hayden, Helms, Hightower, Holt, Hunt, Hunter, Huskins, Jarrell, Jeralds, Jones, Keesee, Kennedy, Lambeth, Lee, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Miller, Murphy, Nesbitt, Owens, Payne, Poovey, Pulley, Rabon, Rhodes, Roberts, Robinson, Seymour, Sparrow, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, B. Woodard, and Wright — 83.

Voting in the negative: Representatives Allran, Auman, Barker, Bowen, Brannan, Brawley, Brubaker, Chapin, Bob Etheridge, Grimsley, Hasty, Holmes, Hudson, C. Hughes, James, Lancaster, Lilley, Mavretic, Musselwhite, Nash, Pool, Quinn, Redding, Slaughter, Warren, Wicker, Womble, and C. Woodard — 28.

Excused absences: Representatives Jordan, Lacey, and Stamey — 3.

Representative Miller moves that the vote by which the bill passed its third reading be reconsidered and that this motion do lie upon the table and this motion carries by a two-thirds majority.

On motion of Representative Miller, the rules are suspended and the bill is ordered sent to the Senate, without engrossment, by Special Message.

H. B. 1420, A BILL TO BE ENTITLED AN ACT TO ALLOW CITIES TO LEVY PROPERTY TAXES FOR DRAINAGE PROGRAMS, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Allran, Auman, Ballance, Barbee, Barnes, Beall, Berry, Black, Blue, Brannan, Brennan, Brubaker, Bumgardner, Burnley, Chapin, Childress, Church, Clark, Coble, Cochrane, Colton, J. W. Crawford, N. J. Crawford, Creecy, Diamont, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Evans, Fenner, Fletcher, Foster, Fulcher, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hauser, Hayden, Helms, Hightower, Holmes, Hudson, C. Hughes, Hunt, Hunter, James, Jarrell. Jeralds, Keesee, Kennedy, Lambeth, Lancaster, Lee, Locks, Lutz, McAlister, Matthews, Mauney, Mavretic, Musselwhite, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Slaughter, Sparrow, Spaulding, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, C. Woodard, and Wright — 92.

Voting in the negative: Representatives Brawley and DeVane — 2.

Excused absences: Representatives Jordan, Lacey, and Stamey — 3.

H. B. 1352, A BILL TO BE ENTITLED AN ACT TO PROVIDE A FAIR PROCEDURE IN PARTITION SALES.

On motion of Representative Lancaster, consideration of the bill is postponed until July 15, 1983.

H. B. 1264, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ELECTIONS SHALL NORMALLY BE HELD IN MAY OR NOVEMBER SO AS TO REDUCE THE COST AND FREQUENCY OF SPECIAL ELECTIONS.

On motion of Representative Gentry, the bill is re-referred to the Committe on Election Laws.

H. B. 1386, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING ESCHEAT RECEIPTS.

On motion of Representative Coble, Committee Amendment No. 1 is adopted.

Representative Jeralds calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its second reading by electronic vote (67-30).

Representative Huskins objects to the third reading. The bill remains on the Calendar.

Representative Hunt presiding.

H. B. 721, A BILL TO BE ENTITLED AN ACT TO EXTEND THE FILING PERIOD FOR WORKERS' COMPENSATION CLAIMS WHEN ACCIDENTAL INJURIES ARE NOT DISCOVERED WITHIN TWO YEARS OF THE ACCIDENT.

On motion of Representative Roberts, Committee Amendments Nos. 1 and 2 are adopted.

The bill, as amended, passes its second reading, by electronic vote (80-5), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

H. B. 1261, A BILL TO BE ENTITLED AN ACT TO PROVIDE WORKERS' COMPENSATION FOR FARM WORKERS ON FARMS WITH TEN OR MORE WORKERS.

On motion of Representative Roberts, Committee Amendment No. 1 is adopted.

Representative Slaughter moves that the vote by which Amendment No. 1 was adopted be reconsidered and this motion carries. Amendment No. 1 is withdrawn.

Representative Slaughter offers Amendment No. 2.

Representative Slaughter calls the previous question on Amendment No. 2 and the call is sustained.

Amendment No. 2 is adopted by electronic vote (71-28).

Representative Roberts calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its second reading by electronic vote (74-24).

Representative Adams objects to the third reading. The bill remains on the Calendar.

The Speaker presiding.

H. B. 520, A BILL TO BE ENTITLED AN ACT REGARDING COHABITATION AS A CHANGED CIRCUMSTANCE FOR ALIMONY.

Representative Payne offers Amendment No. 1 which is adopted by electronic vote (76-19).

Representative Rabon calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its second reading by electronic vote (80-29).

Representative Pulley objects to the third reading. The bill remains on the Calendar.

Committee Substitute for H. J. R. 1294, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY PUBLIC HEALTH FACILITY LAWS, INCLUDING THE CERTIFICATE OF NEED LAW.

On motion of Representative Economos, the bill is re-referred to the Committee on Appropriations.

S. B. 666, A BILL TO BE ENTITLED AN ACT TO GRANT A PARTIAL TAX EXEMPTION FOR GASOHOL MADE FROM AGRICULTURAL OR FORESTRY WASTE PRODUCTS OR BY-PRODUCTS, passes its second reading, by electronic vote (92-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 567, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 10 OF CHAPTER 115C OF THE GENERAL STATUTES PERTAINING TO VOCATIONAL EDUCATION, passes its second reading, by electronic vote (95-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 524, A BILL TO BE ENTITLED AN ACT TO EXTEND DEATH BENEFITS UNDER THE WORKERS' COMPENSATION ACT.

On motion of Representative Roberts, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (97-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment by Special Message.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

Committee Substitute for S. B. 22, A BILL TO BE ENTITLED AN ACT TO MAKE APPROPRIATIONS TO PROVIDE CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, is read the first time.

On motion of Representative Watkins, the rules are suspended, and the bill is placed before the House for immediate consideration.

The bill passes its second reading, by electronic vote (103-3), and there being no objection is read a third time.

Representative Brannan offers Amendment No. 1 which is adopted by electronic vote (100-1).

The bill, as amended, passes its third reading, by electronic vote (106-3), and is ordered returned to the Senate for concurrence in House amendment by Special Message.

Committee Substitute for S. B. 23, A BILL TO BE ENTITLED AN ACT TO MAKE APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES, is read the first time.

On motion of Representative Adams, the rules are suspended, and the bill is placed before the House for immediate consideration.

Representative Watkins offers Amendment No. 1 which is adopted.

On motion of Representative Adams, Rule 20.2 pertaining to fees is suspended.

Representative Spaulding offers Amendment No. 2.

On motion of Representative Adams, seconded by Representative Helms, Amendment No. 2 is tabled by electronic vote (77-28).

Representative Spaulding offers Amendment No. 3.

On motion of Representative Gist, seconded by Representative Adams, Amendment No. 3 is tabled by electronic vote (76-29).

Representative Wright offers Amendment No. 4.

On motion of Representative Adams, seconded by Representative Bruce Ethridge, Amendment No. 4 is tabled by electronic vote (64-44).

Representative Redding offers an amendment.

The Speaker rules the amendment to be out of order and the amendment is returned to Representative Redding.

Representative Watkins calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its second reading by electronic vote (95-11).

Representative Womble objects to the third reading.

Representative Quinn moves that the rules be suspended in order for the bill to have its third reading and this motion carries.

Representative Lancaster offers Amendment No. 5.

On motion of Representative Watkins, seconded by Representative Adams, Amendment No. 5 is tabled by electronic vote (63-44).

Representative Watkins calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its third reading and is ordered returned to the Senate for concurrence in House amendment by Special Message.

MESSAGES FROM THE SENATE

The rules are suspended and the following is received from the Senate:

Senate Committee Substitute for H. B. 1191, A BILL TO BE ENTITLED AN ACT TO EXEMPT PRIVATE HOMES OFFERING BED AND BREAKFAST ACCOMMODATIONS FROM THE FOOD AND LODGING REQUIREMENTS OF THE PUBLIC HEALTH LAWS, is returned for concurrence in Senate committee substitute.

On motion of Representative Evans, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Evans, the House does not concur in the Senate committee substitute and a conference committee is requested.

The Speaker appoints as conferees on the part of the House of Representatives, Evans, Jeralds, and B. Woodard and the Senate is so notified by Special Message.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

H. B. 1143, A BILL TO BE ENTITLED AN ACT TO PROVIDE FAIR DISCOVERY TO DEFENDANTS IN CRIMINAL PROSECUTIONS, is returned for concurrence in Senate amendment.

On motion of Representative Blue, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

Representative Hudson calls for the "ayes" and "noes" and the call is sustained.

On motion of Representative Blue, the House concurs in the Senate amendment, by the following vote, and the bill is ordered enrolled.

Those voting in the affirmative are: Representatives Adams, Anderson, Auman, Ballance, Barnes, Beall, Beam, Berry, Black, Blue, Brannan, Brennan, Bumgardner, Burnley, Chapin, Childress, Clark, Coble, Diamont, Easterling, Economos, Enloe, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gillam, Gist, Grimsley, Hauser, Helms, Holt, Hunt, Hunter, James, Jarrell, Jeralds, Keesee, Lambeth, Lutz, McAlister, McDowell, Mauney, Miller, Musselwhite, Nash, Nesbitt, Payne, Pool, Roberts, Seymour, Sparrow, Spaulding, Spoon, Tennille, Varner, Watkins, and Womble — 61.

Voting in the negative: Representatives Barker, Bowen, Brawley, Brown, Church, Cochrane, Colton, J. W. Crawford, Creecy, DeVane, Hackney, Hasty, Hudson, C.

Hughes, Huskins, Lee, Lilley, Mavretic, Murphy, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Robinson, Slaughter, Thomas, B. Woodard, C. Woodard, and Wright — 31.

Excused absences: Representatives N. J. Crawford, Jordan, Lacey, and Stamey — 4.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 1266, AN ACT TO EXEMPT CERTAIN TRAILER CONVERTERS FROM THE MOTOR VEHICLE REGISTRATION REQUIREMENTS.

H. B. 1295, AN ACT TO PROVIDE FOR A SUNSET ON BOARDS OR COMMISSIONS CREATED BY EXECUTIVE ORDER OF THE GOVERNOR.

H. B. 1388, AN ACT TO PERMIT THE COUNTY OF PERSON TO ENGAGE IN CERTAIN COMMUNITY DEVELOPMENT ACTIVITIES.

S. B. 663, AN ACT TO CLARIFY THE CONDEMNATION POWERS OF COUNTY WATER AND SEWER DISTRICTS.

S. B. 671, AN ACT TO ALLOW CERTAIN ADDITIONAL DEPUTY SHERIFFS IN CARTERET COUNTY TO PURCHASE AUTOMOBILES FROM STATE SURPLUS.

H. B. 1344, AN ACT TO AMEND QUALIFICATIONS FOR LICENSURE FOR NURSING HOME ADMINISTRATORS.

H. B. 1394, AN ACT TO VALIDATE CERTAIN FORECLOSURE SALES.

S. B. 315, AN ACT REGARDING INSPECTIONS OF FIRE-DAMAGED PROPERTY WITH AN INSPECTION WARRANT.

On motion of Representative Hunt, seconded by Representative Matthews, the House adjourns to reconvene July 14, 1983 at 1:30 p.m.

ONE HUNDRED THIRTY-SECOND DAY

HOUSE OF REPRESENTATIVES
Thursday, July 14, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by the Reverend Dennis Goodwin, Gibson Memorial United Methodist Church, Spring Hope, North Carolina.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of July 13 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives N. J. Crawford, Jordan, Lacey, Mauney, and Murphy for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Quinn for the Committee on Finance:

H. B. 50, A BILL TO BE ENTITLED AN ACT TO INCREASE STATE SALES AND USE TAXES TO FOUR PERCENT AND TO SPECIFY HOW THE RESULTING INCREASE IN REVENUE SHALL BE USED, with an indefinite postponement report.

H. B. 161, A BILL TO BE ENTITLED AN ACT TO UPDATE THE INTERNAL REVENUE CODE REFERENCE USED BY CORPORATIONS IN DETERMINING STATE NET INCOME AND TO CLARIFY THE APPLICABILITY OF SUBSEQUENT AMENDMENTS TO THE CODE, with an indefinite postponement report.

H. B. 355, A BILL TO BE ENTITLED AN ACT TO REQUIRE ALL EMPLOYERS TO REMIT WITHHOLDING TAXES ON A MONTHLY BASIS, with an indefinite postponement report.

H. B. 391, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE HENDERSON COUNTY BOARD OF COMMISSIONERS TO LEVY ADDITIONAL ONE PERCENT LOCAL SALES AND USE TAXES TO PROVIDE FUNDS FOR JAIL AND COURT FACILITIES IF THE LEVY IS APPROVED BY THE VOTERS OF HENDERSON COUNTY, with an indefinite postponement report.

H. B. 393, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE WILSON COUNTY TO LEVY ADDITIONAL ONE PERCENT SALES AND USE TAXES, with an indefinite postponement report.

H. B. 628, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE SAMPSON COUNTY TO LEVY ADDITIONAL ONE PERCENT SALES AND USE TAXES, with an indefinite postponement report.

H. B., 696, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEVY OF ADDITIONAL ONE PERCENT SALES AND USE TAXES IN MECKLENBURG COUNTY, with an indefinite postponement report.

H. B. 708, A BILL TO BE ENTITLED AN ACT TO ALLOW CUMBERLAND COUNTY TO LEVY AN ADDITIONAL ONE PERCENT SALES AND USE TAX, with an indefinite postponement report.

H. B. 730, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE STANLY COUNTY TO LEVY ADDITIONAL ONE PERCENT SALES AND USE TAXES, with an indefinite postponement report.

H. B. 778, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCOME TAX CREDIT TO BUSINESSES FOR ELECTRONIC SURVEILLANCE EQUIPMENT AND DIGITAL COMMUNICATORS USED TO PREVENT CRIME, with an indefinite postponement report.

H. B. 799, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE FORSYTH COUNTY TO LEVY ADDITIONAL ONE PERCENT SALES AND USE TAXES, with an indefinite postponement report.

H. B. 821, A BILL TO BE ENTITLED AN ACT TO INCREASE THE INDIVIDUAL INCOME TAX RATES BY ONE PERCENT, with an indefinite postponement report.

H. B. 826, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE BUNCOMBE COUNTY TO LEVY ADDITIONAL ONE PERCENT SALES AND USE TAXES

FOR FIVE YEARS, WITH THE PROCEEDS TO BE USED FOR PUBLIC SCHOOLS IN BUNCOMBE COUNTY, with an indefinite postponement report.

H. B. 888, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CHOWAN COUNTY TO LEVY ADDITIONAL ONE PERCENT SALES AND USE TAXES, with an indefinite postponement report.

H. B. 1088, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE ONSLOW COUNTY TO LEVY ADDITIONAL ONE PERCENT SALES AND USE TAXES, with an indefinite postponement report.

H. B. 1148, A BILL TO BE ENTITLED AN ACT LEVYING A SALES TAX ON ADVERTISING FOR ALCOHOLIC BEVERAGES, with an indefinite postponement report.

H. B. 1207, A BILL TO BE ENTITLED AN ACT TO EXEMPT COIN-OPERATED LAUNDRIES FROM SALES TAX, with an indefinite postponement report.

By Representative Economos for the Committee on Aging:

H. B. 47, A BILL TO BE ENTITLED AN ACT CONCERNING USE OF SCHOOL BUSES BY SENIOR CITIZENS GROUPS, with a favorable report.

By Representative Lilley for the Committee on Local Government No. 1:

H. B. 881, A BILL TO BE ENTITLED AN ACT TO ALLOW THE DARE COUNTY AIRPORT AUTHORITY TO ADOPT ORDINANCES, with a favorable report, as amended.

On motion of Representative Lilley, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Evans, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

By Representative Hunt for the Committee on Rules and Operation of the House:

S. B. 556, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 143-134.1 TO REQUIRE TIMELY PAYMENTS TO SUBCONTRACTORS AND TO PREVENT RETAINAGE PERCENTAGES ON SUBCONTRACT PAYMENTS TO EXCEED THOSE ON PRIME CONTRACT PAYMENTS, with a favorable report.

S. B. 626, A BILL TO BE ENTITLED AN ACT TO TAX ALL COMMERCIALLY MANUFACTURED SWINE, LIVESTOCK, AND POULTRY EQUIPMENT USED BY FARMERS AT A UNIFORM RATE, with a favorable report and recommendation that the bill be re-referred to the Committee on Finance.

S. B. 638, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENT TO CHAPTER 23 OF THE 1983 SESSION LAWS TO AUTHORIZE THE DEPARTMENT OF HUMAN RESOURCES TO FIX PAYMENTS FOR SERVICES RENDERED TO THE PUBLIC, with a favorable report.

S. B. 642, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE MEMBERSHIP AND APPOINTMENT AUTHORITY OF THE NORTH CAROLINA

CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION, with a favorable report.

S. B. 647, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE SALE OF TAX LIENS TO PRIVATE PURCHASERS, with a favorable report.

By Representative Miller for the Committee on Judiciary No. 1:

Committee Substitute No. 2 for H. B. 806, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DUTY TO STOP IN EVENT OF A MOTOR VEHICLE ACCIDENT, with an unfavorable report as to Committee Substitute Bill No. 2, favorable as to Committee Substitute Bill No. 3.

On motion of Representative Miller, the rules are suspended and Commitee Substitute Bill No. 3 is placed on the Calendar for July 15, 1983. Committee Substitute Bill No. 2 is placed on the Unfavorable Calendar.

H. B. 1175, A BILL TO BE ENTITLED AN ACT TO MAKE POSSESSION OF ONE-THIRD OUNCE OF MARIJUANA A FELONY, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

On motion of Representative Miller, the rules are suspended and the substitute bill is placed on the Calendar for July 15, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 1240, A BILL TO BE ENTITLED AN ACT TO PROVIDE CONFIDENTIALITY IN LEGISLATIVE COMMUNICATIONS, with an unfavorable report as to bill, favorable as to committee substitute bill.

On motion of Representative Miller, the rules are suspended and the substitute bill is placed on the Calendar for July 15, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 1362, A BILL TO BE ENTITLED AN ACT TO CREATE A LIEN ON AN AIRCRAFT FOR THE AMOUNT OF EARNED BUT UNPAID INSURANCE PREMIUMS ON THE AIRCRAFT, with an unfavorable report as to bill, favorable as to committee substitute House joint resolution, which changes the title.

On motion of Representative Miller, the rules are suspended and the committee substitute House joint resolution is placed on the Calendar for July 15, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 1405, A BILL TO BE ENTITLED AN ACT TO ALLOW A COURT TO REFORM INTERESTS IN PROPERTY THAT VIOLATE THE RULE AGAINST PERPETUITIES, with a favorable report.

H. B. 1451, A BILL TO BE ENTITLED AN ACT TO CONFORM SUBCHAPTER 1 OF CHAPTER 76A OF THE GENERAL STATUTES AFFECTING THE CAPE FEAR RIVER NAVIGATION AND PILOTAGE COMMISSION WITH THE PROVISIONS OF SUBCHAPTER 2 OF CHAPTER 76A AFFECTING THE MOREHEAD CITY NAVIGATION AND PILOTAGE COMMISSION, with a favorable report.

By Representative Gentry for the Committee on Election Laws:

H. B. 422, A BILL TO BE ENTITLED AN ACT TO REQUIRE THAT POLITICAL PARTIES PAY FOR PRIMARIES, with an unfavorable report.

H. B. 980, A BILL TO BE ENTITLED AN ACT TO PERMIT POLITICAL ACTION

COMMITTEES REGISTERED WITH THE FEDERAL ELECTION COMMISSION TO CONTRIBUTE TO NORTH CAROLINA CAMPAIGNS IN CERTAIN CIRCUMSTANCES, with an indefinite postponement report.

H. B. 1079, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN THE ROLE OF POLITICAL PARTIES IN ELECTION FINANCING, with an indefinite postponement report.

H. B. 1112, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 163 OF THE GENERAL STATUTES TO AUTHORIZE REGISTRATION OF VOTERS BY DRIVER LICENSE EXAMINERS OF THE DIVISION OF MOTOR VEHICLES, with a favorable report, as amended, and recommendation that the bill be re-referred to the Committee on Appropriations.

On motion of Representative Gentry, Committee Amendment No. 1 is adopted.

The bill is ordered engrossed and re-referred to the Committee on Appropriations.

H. B. 1182, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ALL HIGH SCHOOL SENIORS SHALL BE GIVEN AN OPPORTUNITY TO REGISTER TO VOTE NO LATER THAN GRADUATION, with an indefinite postponement report.

H. B. 1264, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ELECTIONS SHALL NORMALLY BE HELD IN MAY OR NOVEMBER SO AS TO REDUCE THE COST AND FREQUENCY OF SPECIAL ELECTIONS, with a favorable report, as amended.

H. B. 1415, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON APPOINTED TO FILL A VACANCY IN AN ELECTED CITY OFFICE SHALL SERVE ONLY UNTIL THE NEXT CITY ELECTION, with a favorable report, as amended.

The Speaker announces that Representative Jarrell has replaced Representative Jeralds as conferee on Senate Committee Substitute for H. B. 1191, A BILL TO BE ENTITLED AN ACT TO EXEMPT PRIVATE HOMES OFFERING BED AND BREAKFAST ACCOMMODATIONS FROM THE FOOD AND LODGING REQUIREMENTS OF THE PUBLIC HEALTH LAWS.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 13, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that Senator Henson Barnes has been appointed as an additional conferee for House Committee Substitute for S. B. 141, A BILL TO BE ENTITLED AN ACT TO REWRITE THE PUBLIC HEALTH LAWS.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 13, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the Senate adopts the report of the conferees on House Committee Substitute for H. B. 56, A BILL TO BE ENTITLED AN ACT TO AMEND THE SAFE DRIVER INSURANCE PLAN PROVISIONS BY INCREASING THE PROPERTY DAMAGE THRESHOLD FOR CHARGEABLE ACCIDENTS AND ELIMINATING SURCHARGES FOR CERTAIN SPEEDING TRAFFIC VIOLATIONS, to the end that when a similar action has been taken on the part of the House, you may order the bill enrolled.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

The Speaker orders the bill enrolled.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for H. B. 524, A BILL TO BE ENTITLED AN ACT TO REPEAL ALL ADMINISTRATIVE RULES ADOPTED UNDER THE A. P. A. AND REQUIRE THEIR ADOPTION BY THE GENERAL ASSEMBLY, is returned for concurrence in Senate committee substitute and is referred to the Committee on Rules and Operation of the House.

H. B. 1371, A BILL TO BE ENTITLED AN ACT TO ALLOW CERTAIN HOUSING AUTHORITIES TO ENGAGE IN MODERATE INCOME HOUSING, is returned for concurrence in Senate amendment.

On motion of Representative Seymour, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Seymour, the House concurs in the Senate amendment and the bill is ordered enrolled.

Committee Substitute for H. B. 612, A BILL TO BE ENTITLED AN ACT TO REVISE THE STATUTES RELATING TO THE GAME COMMISSION OF CURRITUCK COUNTY, is returned for concurrence in Senate amendment.

On motion of Representative Evans, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Evans, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 724, A BILLTO BE ENTITLED AN ACT TO LIMIT MOTORBOAT NOISE ON VARIOUS LAKES, is returned for concurrence in Senate amendment and is placed on the Calendar for July 15, 1983.

Committee Substitute for S. B. 631, A BILL TO BE ENTITLED AN ACT TO AMEND THE CONSTITUTION TO EXPAND THE PUNISHMENTS FOR CONVICTION OF A CRIME, is read the first time and is referred to the Committee on Rules and Operation of the House.

Committee Substitute for S. B. 270, A BILL TO BE ENTITLED AN ACT TO AMEND THE WELL CONSTRUCTION ACT, G. S. 87-83 *et seq.*, TO PROVIDE FOR CIVIL PENALTIES AND CRIMINAL PENALTIES, is read the first time and is referred to the Committee on Rules and Operation of the House.

S. B. 658, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTERS 58 AND 66 OF THE GENERAL STATUTES TO ALLOW FOR LIMITED LICENSING OF MOTOR CLUB SALES AGENTS TO PROVIDE INSURANCE, is read the first time and is referred to the Committee on Rules and Operation of the House.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

Senate Committee Substitute for H. B. 709, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE ALARM SYSTEMS LICENSING ACT, is returned for concurrence in Senate committee substitute and is referred to the Committee on State Government.

Senate Committee Substitute for H. J. R. 1345, A JOINT RESOLUTION EXPRESSING THE INTENT OF THE GENERAL ASSEMBLY CONCERNING THE REVISION OF THE ADMINISTRATIVE PROCEDURE ACT AND RULES PROMULGATED UNDER THAT ACT, is returned for concurrence in Senate committee substitute and is referred to the Committee on Rules and Operation of the House.

H. B. 1400, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROVISIONS OF THE FAIR EMPLOYMENT AND DISMISSAL ACT, is returned for concurrence in Senate amendment.

On motion of Representative Fussell, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Fussell, the House concurs in the Senate amendment and the bill is ordered enrolled.

Committee Substitute No. 2 for H. B. 645, A BILL TO BE ENTITLED AN ACT TO RECODIFY THE PUBLIC HOSPITAL LAWS IN CHAPTERS 131 AND 131B AND IN PORTIONS OF CHAPTER 130 OF THE GENERAL STATUTES, is returned for concurrence in Senate amendment.

On motion of Representative Pulley, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Pulley, the House concurs in the Senate amendment and the bill is ordered enrolled.

Committee Substitute for S. B. 569, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE RIGHT TO FILE OR CLAIM CERTAIN STATUTORY LIENS ON REAL PROPERTY MAY NOT BE WAIVED, is read the first time and is referred to the Committee on Rules and Operation of the House.

S. B. 669, A BILL TO BE ENTITLED AN ACT TO PROVIDE NONPROFIT ORGANIZATIONS WITH THE ALTERNATIVE OF PROVIDING A LETTER OF CREDIT AS SECURITY FOR PAYMENTS TO THE EMPLOYMENT SECURITY FUND, is read the first time and is referred to the Committee on Rules and Operation of the House.

S. J. R. 689, A JOINT RESOLUTION DIRECTING THE DEPARTMENT OF

HUMAN RESOURCES TO STUDY THE ISSUE OF HAZARDOUS WASTE LANDFILL PLACEMENT AND RESULTANT POTENTIAL HEALTH HAZARDS, is read the first time and is referred to the Committee on Rules and Operation of the House.

S. J. R. 690, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF PATRICIA ALLEN BENTON, is read the first time and is referred to the Committee on Rules and Operation of the House.

On motion on Representative Wicker, the rules are suspended and the resolution is withdrawn from the Committee on Rules and Operation of the House and placed before the House for immediate consideration.

The resolution passes its second reading, by electronic vote (100-0), and there being no objection is read a third time,

The resolution passes its third reading and is ordered enrolled.

S. B. 223, A BILL TO BE ENTITLED AN ACT TO PROVIDE ENABLING LEGISLATION FOR THE CONSOLIDATION AND MERGER OF THE EDEN CITY SCHOOLS ADMINISTRATIVE UNIT, THE MADISON-MAYODAN ADMINISTRATIVE UNIT, THE REIDSVILLE CITY ADMINISTRATIVE UNIT AND THE ROCKINGHAM COUNTY SCHOOLS ADMINISTRATIVE UNIT, is read the first time.

On motion of Representative McAlister, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Representative B. Woodard sends forth the following Conference Report and moves its adoption.

CONFERENCE REPORT

July 14, 1983

TO: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on Senate Committee Substitute for the House Committee Substitute for H. B. 767, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 90-108 TO PROHIBIT EMBEZZLEMENT OF CONTROLLED SUBSTANCES BY EMPLOYEES OF PRACTITIONERS AND REGISTRANTS, AND TO PROHIBIT "DOCTOR SHOPPING" AS A MEANS OF FRAUDULENTLY OBTAINING CONTROLLED SUBSTANCES FROM PRACTITIONERS, wish to report as follows: The House concurs in the Senate Committee Substitute with the following amendments:

(1) on page 1, rewrite lines 11 through 13 in their entirety to read: "(13) To obtain controlled substances through the use of legal prescriptions which have been obtained by the knowing and willful misrepresentation to or by the intentional withholding of information from one or more practitioners."

(2) on page 2, line 3, delete "July 1, 1983" and insert in lieu thereof "August 1, 1983".

The Senate concurs in the same.

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 14th day of July, 1983.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ Joseph E. Johnson	S/ B. P. Woodard
S/ Dennis Winner	S/ Daniel T. Blue, Jr.
S/ W. Gerry Hancock, Jr.	S/ Martin Lancaster
S/ Elton Edwards	S/ W. Paul Pulley

The Conference Report is adopted, by electronic vote (85-0), and the Senate is so notified by Special Message.

Representative Beam sends forth the following Conference Report and moves its adoption.

CONFERENCE REPORT

July 14, 1983

TO: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on the Senate Committee Substitute for House Bill 905 (Second Edition, Adopted 6/24/93), A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE JUDICIAL COUNCIL AND RECONSTITUTE THE NORTH CAROLINA COURTS COMMISSION, wish to report as follows: The Conference Committee recommends that the differences between the Senate and the House of Representatives regarding the Senate Committee Substitute for House Bill 905 (Second Edition, Adopted 6/24/83), be resolved by the adoption of the following amendments to the bill:

1. On page 1, line 11, substitute "24" for "20";
2. On page 1, lines 12, 13, and 14, and on page 2, lines 1, 6, and 10, substitute "six" for "five";
3. On page 1, line 19, rewrite that line to read: "court, and two shall be district court judges.";
4. On page 2, line 13, rewrite that line to read: "least one shall be a magistrate.";
5. On page 2, line 16, substitute "three" for "two" in the first place "two" appears; and
6. On page 2, lines 22 through 26, rewrite those lines to read: "Sec. 3. This act is effective upon ratification.".

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 14th day of July, 1983.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ Cecil R. Jenkins, Jr.	S/ Sam Beam
S/ Robert S. Swain	S/ Robert C. Hunter
S/ Julian R. Allsbrook	S/ H. Parks Helms

The Conference Report, which changes the title, is adopted, by electronic vote (86-0), and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 13, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the Senate adopts the report of the conferees on Senate Committee Substitute for H. B. 905, A BILL TO BE ENTITLED AN ACT TO ELIMINATE THE JUDICIAL COUNCIL AND RECONSTITUTE THE NORTH CAROLINA COURTS COMMISSION, to the end that when a similar action has been taken on the part of the House, you may order the bill enrolled.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

The Speaker orders the bill enrolled.

Representative Bumgardner sends forth the following Conference Report and moves its adoption.

CONFERENCE REPORT

July 14, 1983

TO: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on Senate Committee Substitute for the House Committee Substitute for House 255, A BILL TO BE ENTITLED AN ACT TO AMEND GENERAL STATUTES CHAPTER 74C, THE PRIVATE PROTECTIVE SERVICES ACT, wish to report as follows: the House concurs in the Senate Committee Substitute with the following amendments:

(1) on page 5, line 5, rewrite that line in its entirety to read: "enforcement or sherriff's department. After administrative remedies have been exhausted, disputes with the board arising under G. S. 74C-8(d) (3) may be carried directly to the General Court of Justice in the county where the complainant resides."

(2) on page 5, line 6, rewrite that line to read: "Sec. 12. This act is effective upon ratification."

The Senate concurs in the same.

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 14th day of July, 1983.

Conferees for the Senate
S/ JAMES H. EDWARDS
S/ ANTHONY E. RAND
S/ DENNIS WINNER

Conferees for the House of Representatives
S/ DAVID W. BUMGARDNER, JR.
S/ N. J. CRAWFORD
S/ J. P. HUSKINS

The Conference Report, which changes the title, is adopted, by electronic vote (94-0), and the Senate is so notified by Special Message.

SUSPENSION OF RULES TO INTRODUCE LOCAL BILL

On motion of Representative Tennille, Rule 31.1 is suspended by a two-thirds majority vote in order for a local bill to be filed.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Holt:

H. J. R. 1453, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY VARIOUS MATTERS OF ELECTION PROCEDURE AND ADMINISTRATION, is referred to the Committee on Appropriations.

On motion of Representative McAlister, the rules are suspended and the following is read the first time.

By Representative McAlister:

H. B. 1454, A BILL TO BE ENTITLED AN ACT EXEMPTING TOWNS WITH LESS THAN TWELVE THOUSAND FIVE HUNDRED PEOPLE FROM G. S. 14-234, is referred to the Committee on Judiciary No. 4.

On motion of Representative James, the rules are suspended and the following is read the first time.

By Representative James:

H. B. 1455, A BILL TO BE ENTITLED AN ACT TO DEFINE FARM MACHINERY ACCESSORIES, is referred to the Committee on Finance.

On motion of Representative Gillam, the rules are suspended and the following is read the first time.

By Representatives Gillam and Jones:

H. B. 1456, A BILL TO BE ENTITLED AN ACT TO REQUIRE CERTAIN LICENSING BOARDS TO REPORT ON STANDARDS USED IN EVALUATING APPLICANTS LICENSED IN OTHER STATES, is referred to the Committee on Rules and Operation of the House.

On motion of Representative Grimsley, the rules are suspended and the following is read the first time.

By Representatives Grimsley and Seymour:

H. B. 1457, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR A JUNIOR AND SENIOR HIGH SCHOOL YOUTH CENTER IN GREENSBORO, is referred to the Committee on Appropriations.

On motion of Representative Tennille, the rules are suspended and the following is read the first time.

By Representative Tennille:

H. B. 1458, A BILL TO BE ENTITLED AN ACT TO ALLOW FORSYTH COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, is referred to the Committee on Finance.

On motion of Representative Gentry, the rules are suspended and the following is read the first time.

By Representative Gentry:

H. B. 1459, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS FOR ADULT DEVELOPMENTAL ACTIVITY PROGRAM AND VOCATIONAL REHABILITATION SLOTS, is referred to the Committee on Appropriations.

On motion of Representative Miller, the rules are suspended and the following is read the first time.

By Representative Miller:

H. B. 1460, A BILL TO BE ENTITLED AN ACT TO AMEND THE CAPITAL IMPROVEMENTS APPROPRIATIONS ACT TO CONFORM TO THE REQUIREMENTS OF THE 1983 SEPARATION OF POWERS ACT, is referred to the Committee on Judiciary No. 1.

On motion of Representative Miller, the rules are suspended and the following is read the first time.

By Representative Miller:

H. R. 1461, A HOUSE RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY CONFIDENTIALITY OF LEGISLATIVE COMMUNICATIONS, is referred to the Committee on Appropriations.

CALENDAR

Action is taken on the following:

Senate Committee Substitute for H. B. 1401, A BILL TO BE ENTITLED AN ACT PROVIDING THAT THE HENDERSON COUNTY JAIL SHALL BE OPERATED AS PROVIDED BY GENERAL LAW.

On motion of Representative C. Hughes, the House concurs in the Senate committee substitute, which changes the title, and the bill is ordered enrolled.

Senate Committee Substitute for H. B. 954, A BILL TO BE ENTITLED AN ACT TO REGULATE THE PURCHASE OF MUTUAL BURIAL ASSOCIATIONS.

On motion of Representative Pulley, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

Committee substitute for H. B. 1331, A BILL TO BE ENTITLED AN ACT TO MAKE VARIOUS TECHNICAL AMENDMENTS TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

On motion of Representative Clark, the House concurs in Senate Amendments Nos. 1 and 2 and the bill is ordered enrolled.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 14, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the Senate adopts the report of the conferees on H. B. 255, A BILL TO BE ENTITLED AN ACT TO AMEND GENERAL STATUTES CHAPTER 74C, THE PRIVATE PROTECTIVE SERVICES ACT, to the end that when a similar action has been taken on the part of the House, you may order the bill enrolled.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

The Speaker orders the bill enrolled.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 14, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the Senate adopts the report of the conferees on H. B. 767, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 90-108 TO PROHIBIT EMBEZZLEMENT OF CONTROLLED SUBSTANCES BY EMPLOYEES OF PRACTITIONERS AND REGISTRANTS, AND TO PROHIBIT "DOCTOR SHOPPING" AS A MEANS OF FRAUDULENTLY OBTAINING CONTROLLED SUBSTANCES FROM PRACTITIONERS, to the end that when a similar action has been taken on the part of the House, you may order the bill enrolled.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

The Speaker orders the bill enrolled.

CALENDAR (continued)

H. B. 1414, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE CONDEMNATION POWERS OF COUNTY WATER AND SEWER DISTRICTS.

On motion of Representative Bob Etheridge, consideration of the bill is postponed indefinitely by electronic vote (98-2).

Committee Substitute for H. B. 987, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES AND CITIES TO REGULATE ABANDONED, JUNKED VEHICLES FOR AESTHETIC PURPOSES.

Representative Evans offers Amendment No. 2 which is adopted by electronic vote (99-0).

On motion of Representative Miller, seconded by Representative Nesbitt, the bill is tabled by electronic vote (56-42).

H. B. 1386, A BILL TO BE ENTITLED AN ACT TO AMEND THE LAW REGARDING ESCHEAT RECEIPTS.

Representative Jeralds calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its third reading, by electronic vote (82-18), and is ordered engrossed and sent to the Senate.

Representative Barbee presiding.

H. B. 1261, A BILL TO BE ENTITLED AN ACT TO PROVIDE WORKERS' COMPENSATION FOR FARM WORKERS ON FARMS WITH TEN OR MORE WORKERS.

Representative Payne offers Amendment No. 3.

On motion of Representative Slaughter, seconded by Representative Bowen, Amendment No. 3 is tabled by electronic vote (54-42).

Representative Anderson moves that consideration of the bill be postponed until July 15, 1983.

Representative Roberts moves, seconded by Representative Payne, that the motion to postpone until July 15, 1983 do lie upon the table and this motion fails for lack of a majority by electronic vote (49-49).

Representative Anderson withdraws his motion to postpone until July 15, 1983.

Representative Adams moves that consideration of the bill be postponed until July 15, 1983.

Representative Anderson moves that the motion by Representative Adams to postpone consideration until July 15, 1983 be postponed indefinitely and this motion carries by electronic vote (57-40).

Representative Roberts calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its third reading, by electronic vote (65-34), and is ordered engrossed and sent to the Senate.

H. B. 520, A BILL TO BE ENTITLED AN ACT REGARDING COHABITATION AS A CHANGED CIRCUMSTANCE FOR ALIMONY.

Representative Pulley offers Amendment No. 2 which is adopted by electronic vote (85-1).

Representative Rabon calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its third reading, by electronic vote (71-18), and is ordered engrossed and sent to the Senate.

Representative Lilley sends forth the following Conference Report and moves its adoption.

CONFERENCE REPORT

July 14, 1983

TO: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate

and the House of Representatives on the Senate Committee Substitute for House Bill 683 (adopted 5/20/83), AN ACT TO REWRITE G. S. 20-217 PERTAINING TO PASSING STOPPED SCHOOL BUSES AND RECEIVING OR DISCHARGING PASSENGERS FROM SCHOOL BUSES STOPPED ON DIVIDED ROADWAYS, wish to report as follows: The Conference Committee recommends that the differences between the Senate and House of Representatives regarding the Senate Committee Substitute for House Bill 683 (adopted 5/20/83) be resolved by:

Page 2 – Line 27 – Add a subsection (f) under Section 1 to read: (f) Proof that a motor vehicle has passed a stopped school bus in violation of subsection (a) of this section is *prima facie* evidence that the motor vehicle was operated at the time of the violation by the registered owner of the vehicle.

Further on Page 3 – Line 2 – Delete the period after 1983 and add the following words: and expire October 1, 1985. G. S. 20-217 amended hereby shall not be effective on and after said date.

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 14th day of July, 1983.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ Dennis J. Winner	S/ Daniel T. Lilley
S/ Cecil R. Jenkins	S/ Chris S. Barker, Jr.
S/ Anthony E. Rand	S/ Aaron E. Fussell
S/ Robert S. Swain	S/ George W. Miller, Jr.
S/ Lura Tally	S/ Richard Wright

The Conference Report is adopted, by electronic vote (77-0), and the Senate is so notified.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Quinn for the Committee on Finance:

S. B. 626, A BILL TO BE ENTITLED AN ACT TO TAX ALL COMMERCIALLY MANUFACTURED SWINE, LIVESTOCK, AND POULTRY EQUIPMENT USED BY FARMERS AT A UNIFORM RATE, with a favorable report.

CALENDAR (continued)

Committee Substitute No. 2 for H. B. 1119, A BILL TO BE ENTITLED AN ACT TO AMEND THE STATUTE RELATING TO PAYMENT AND PERFORMANCE BONDS FOR PUBLIC CONTRACTS, passes its second reading, by electronic vote (77-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for H. B. 991, A BILL TO BE ENTITLED AN ACT TO REGULATE THE USE OF HAZARDOUS WASTE LANDFILL FACILITIES FOR LANDFILLS NOT AN INTEGRAL PART OF A TREATMENT FACILITY.

Representative Hackney offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (96-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered engrossed and sent to the Senate.

The Speaker presiding.

H. B. 1205, A BILL TO BE ENTITLED AN ACT TO EMPOWER THE UTILITIES COMMISSION TO EXEMPT PERSONS PROVIDING RADIO COMMON CARRIER TYPE SERVICES FROM REGULATION IN COMMUNITIES IN WHICH SUCH SERVICES ARE BEING PROVIDED BY MORE THAN ONE PERSON.

Representative Bruce Ethridge requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

On motion of Representative Rabon, Committee Amendment No. 1 is adopted.

On motion of Representative Quinn, the bill is ordered engrossed and re-referred to the Committee on Finance.

S. B. 333, A BILL TO BE ENTITLED AN ACT TO REDUCE THE YEARS A JUDGE MUST HAVE SERVED BEFORE RETIREMENT TO QUALIFY AS AN EMERGENCY JUDGE.

On motion of Representative Helms, Committeee Amendment No. 1 is adopted.

Representative C. Woodard offers Amendment No. 2.

On motion of Representative Helms, seconded by Representative Blue, Amendment No. 2 is tabled by electronic vote (64-29).

The bill, as amended, passes its second reading by electronic vote (86-8).

Representative Helms objects to the third reading. The bill remains on the Calendar.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 14, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the Senate adopts the report of the conferees on Senate Committee Substitute for H. B. 683, A BILL TO BE ENTITLED AN ACT TO REWRITE G. S. 20-217 PERTAINING TO PASSING STOPPED SCHOOL BUSES AND RECEIVING OR DISCHARGING PASSENGERS FROM SCHOOL BUSES STOPPED ON DIVIDED ROADWAYS, to the end that when a similar action has been taken on the part of the House, you may order the bill enrolled.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

The Speaker orders the bill enrolled.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 315, AN ACT TO STENGTHEN LAWS REGULATING SALES OF ALCOHOLIC BEVERAGES.

H. B. 567, AN ACT TO AMEND THE STATUTES 14-107 FOR WORTHLESS CHECKS.

H. B. 864, A BILL TO BE ENTITLED AN ACT TO MAKE STATEWIDE CHAPTER 85C OF THE GENERAL STATUTES RELATING TO BAIL BONDSMEN BY REPEALING THE EXEMPTIONS FOR NEW HANOVER AND ROBESON COUNTIES, AND TO REPEAL LOCAL ACTS RELATING TO THE NEW HANOVER COUNTY LAW LIBRARY.

H. B. 1277, A BILL TO BE ENTITLED AN ACT TO DENY AUTHORITY TO CASWELL BEACH TO EXERCISE JURISDICTION UNDER ARTICLE 19 OF CHAPTER 160A OF THE GENERAL STATUTES OVER FORT CASWELL.

H. B. 1409, AN ACT TO AMEND CHAPTER 600 OF THE SESSION LAWS OF 1983 CONCERNING THE DATE OF THE SPECIAL ELECTION TO INCORPORATE THE TOWN OF LYNN.

H. B. 642, AN ACT TO CLARIFY STATE RESPONSIBILITY FOR JAILER TRAINING AND CERTIFICATION.

H. B. 684, AN ACT TO ESTABLISH THE CRIME OF INVOLUNTARY SERVITUDE.

H. B. 1387, AN ACT TO PREVENT DRIFT HUNTING ON SWIFT CREEK IN EDGECOMBE COUNTY.

H. B. 1402, AN ACT TO ALLOW THE CITY OF WILSON TO SELL INDUSTRIAL PROPERTY.

S. B. 475, AN ACT TO CLARIFY WHAT INFORMATION MAY BE USED FOR PROOF OF LOSS UNDER LIFE INSURANCE POLICIES.

S. B. 567, AN ACT TO AMEND ARTICLE 10 OF CHAPTER 115C OF THE GENERAL STATUTES PERTAINING TO VOCATIONAL EDUCATION.

S. B. 621, AN ACT TO AMEND CHAPTER 85B, RELATING TO AUCTIONS AND AUCTIONEERS.

H. B. 1353, AN ACT TO AMEND G. S. 115C-72 RELATING TO THE CONSOLIDATION OF DISTRICTS AND DISCONTINUANCE OF SCHOOLS.

H. B. 1374, AN ACT TO AMEND THE PRIMA FACIE EVIDENCE RULE FOR ENFORCEMENT OF PARKING REGULATIONS.

H. B. 1384, AN ACT TO RESTRICT THE USE OF THE LIST OF LICENSED DRIVERS TO JURY SELECTION PURPOSES ONLY.

S. B. 553, AN ACT SETTING STANDARDS FOR QUALIFICATION, TRAINING AND EXPERIENCE FOR PERSONS SEEKING TO REPRESENT THEMSELVES TO THE PUBLIC AS REGISTERED PRACTICING COUNSELORS: CREATING A STATE BOARD OF EXAMINERS FOR REGISTERED PRACTICING COUNSELORS: DEFINING THE FUNCTIONS AND DUTIES OF THAT BOARD: AND PROVIDING FOR PENALTIES.

S. B. 608, AN ACT TO VALIDATE CERTAIN RECORDED MAPS AND PLATS.

S. B. 22, AN ACT TO MAKE APPROPRIATIONS TO PROVIDE CAPITAL IMPROVEMENTS FOR STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES.

H. B. 1129, AN ACT TO INCLUDE VESTED PENSION OR RETIREMENT RIGHTS IN MARITAL PROPERTY FOR PURPOSES OF EQUITABLE DISTRIBUTION.

H. B. 1143, AN ACT TO PROVIDE FAIR DISCOVERY TO DEFENDANTS IN CRIMINAL PROSECUTIONS.

S. B. 666, AN ACT TO GR ' NT A PARTIAL TAX EXEMPTION FOR GASOHOL MADE FROM AGRICULTURAL OR FORESTRY WASTE PRODUCTS OR BY-PRODUCTS.

On motion of Representative Hunt, seconded by Representative McDowell, the House adjourns to reconvene July 15, 1983 at 10:00 a.m.

ONE HUNDRED THIRTY-THIRD DAY

House of Representatives
Friday, July 15, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Helms.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of July 14 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Diamont, James, Jordan, Kennedy, Lacey, Murphy, and Varner for today.

SPECIAL MESSAGE FROM THE SENATE

The following Special Messages are received from the Senate:

Committee Substitute for H. B. 230, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INCOME TAX CREDIT FOR CERTAIN REAL PROPERTIES DONATED FOR CONSERVATION PURPOSES, is returned for concurrence in Senate amendment.

On motion of Representative Evans, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Evans, the House concurs in the Senate amendment and the bill is ordered enrolled.

Committee Substitute for H. B. 322, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE DEPARTMENT OF HUMAN RESOURCES TO DESIGNATE GEOGRAPHIC AREAS WITHIN WHICH A SOLID WASTE MANAGMENT PLAN WILL PROVIDE FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE;

REQUIRING WASTE GENERATED WITHIN SAID AREAS TO BE DISPOSED OF AT PERMITTED SOLID WASTE MANAGEMENT FACILITES; AUTHORIZING CITIES AND COUNTIES TO EVALUATE PROPOSALS AND NEGOTIATE CONTRACTS ON THE BASIS OF FACTORS OTHER THAN PRICE ALONE; AND EXPANDING THE POWERS OF MUNICIPALITIES WITH RESPECT TO THE ISSUANCE OF REVENUE BONDS FOR SYSTEMS, FACILITIES AND EQUIPMENT FOR THE COLLECTION, TREATMENT OR DISPOSAL OF SOLID WASTE, is returned for concurrence in Senate amendment.

On motion of Representative Musselwhite, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Musselwhite, the House concurs in the Senate amendment and the bill is ordered enrolled.

Committee Substitute for H. B. 459, A BILL TO BE ENTITLED AN ACT EXEMPTING THE COUNTY OF GASTON FROM THE PROVISIONS OF ARTICLE 12, CHAPTER 160A OF THE GENERAL STATUTES, AS TO LEASES OF REAL ESTATE OWNED BY IT KNOWN AS GASTON MEMORIAL HOSPITAL PROPERTY AND THE SALE OF PERSONAL PROPERTY USED FOR THE HOSPITAL, is returned for concurrence in Senate amendment.

On motion of Representative Beam, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Beam, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 945, A BILL TO BE ENTITLED AN ACT CONCERNING THE REPORTING OF CERTAIN TRANSACTIONS IN UNITED STATES CURRENCY, is returned for concurrence in Senate amendment and is placed on the Calendar for July 18, 1983.

Committee Substitute for H. B. 1314, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CITIES TO SELL PROPERTY IN COMMUNITY DEVELOPMENT PROGRAMS TO REDEVELOPERS AT PRIVATE SALE, is returned for concurrence in Senate amendment.

On motion of Representative Evans, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Evans, the House concurs in the Senate amendment and the bill is ordered enrolled.

Senate Committee Substitute for H. B. 1326, A BILL TO BE ENTITLED AN ACT TO ALLOW A LIMITED DRIVING PRIVILEGE UPON CONVICTION OF SPEEDING VIOLATIONS, is returned for concurrence in Senate committee substitute and is referred to the Committee on Highway Safety.

On motion of Representative Hunter, the rules are suspended, the bill is withdrawn from the Committee on Highway Safety and placed on the Calendar for immediate consideration.

On motion of Representative Hunter, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

H. B. 1343, A BILL TO BE ENTITLED AN ACT TO PROTECT ARTISTS' RIGHTS IN ARTWORK ON CONSIGNMENT, is returned for concurrence in 2 Senate amendments and is placed on the Calendar for July 18, 1983.

S. B. 416, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SALES TAX ON DEATH CERTIFICATES, is read the first time and is referred to the Committee on Rules and Operation of the House.

S. B. 519, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROVISION FOR FILING OF INSURANCE RATES, is read the first time and is referred to the Commitee on Rules and Operation of the House.

Committee Substitute for S. B. 514, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 110-136 TO PERMIT GARNISHMENT OF UP TO FORTY PERCENT OF WAGES FOR WILLFUL FAILURE TO PROVIDE CHILD SUPPORT, is read the first time and is referred to the Committee on Rules and Operation of the House.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 14, 1983

Mr. Speaker:

Pursuant to your message that the House of Representatives fails to concur in the Senate Committee Substitute for H. B. 1191, A BILL TO BE ENTITLED AN ACT TO EXEMPT PRIVATE HOMES OFFERING BED AND BREAKFAST ACCOMMODATIONS FROM THE FOOD AND LODGING REQUIREMENTS OF THE PUBLIC HEALTH LAWS AND TO AUTHORIZE THE HEALTH SERVICES COMMISSION TO ADOPT RULES BY JULY 1, 1984, and requests conferees, the President appoints Senators O. Harris, J. Edwards, and Walker on the part of the Senate to confer with a like committee on the part of the House to the end that the differences between the two Bodies may be resolved.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Church for the Committee on State Government:

Senate Committee Substitute for House Committee Substitute for H. B. 709, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE ALARM SYSTEMS LICENSING ACT, with recommendation that the House concur.

On motion of Representative Church, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Church, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

By Representative Mavretic for the Committee on Pensions and Retirement:

H. B. 1393, A BILL TO BE ENTITLED AN ACT TO REWRITE THE GASTONIA POLICEMEN'S SUPPLEMENTARY PENSION FUND ACT, with a favorable report, as amended.

On motion of Representative Mavretic, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Mavretic, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate, without engrossment, by Special Message.

By Representative Miller for the Committee on Judiciary No. 1:

H. B. 1460, A BILL TO BE ENTITLED AN ACT TO AMEND THE CAPITAL IMPROVEMENTS APPROPRIATIONS ACT TO CONFORM TO THE REQUIREMENTS OF THE 1983 SEPARATION OF POWERS ACT, with a favorable report.

On motion of Representative Miller, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading, by electronic vote (82-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for S. B. 165, A BILL TO BE ENTITLED AN ACT TO CREATE THE FELONY OFFENSES OF USE OF A CHILD IN A SEXUAL PERFORMANCE AND PROMOTING A SEXUAL PERFORMANCE BY A CHILD, with an unfavorable report as to Senate committee substitute bill, favorable as to House committee substitute bill, which changes the title.

The House committee substitute bill is placed on the Calendar for July 18, 1983. The Senate committee substitute bill is placed on the Unfavorable Calendar.

Committee Substitute No. 2 for S. B. 330, A BILL TO BE ENTITLED AN ACT TO PREVENT THE SEXUAL EXPLOITATION OF CHILDREN, with an indefinite postponement report.

By Representative Lilley for the Committee on Local Government No. 1:

H. B. 813, A BILL TO BE ENTITLED AN ACT RELATING TO PRIVATE LAKES IN JOHNSTON COUNTY, with an indefinite postponement report.

By Representative Hightower for the Committee on Insurance:

H. B. 805, A BILL TO BE ENTITLED AN ACT TO REQUIRE PROVISIONS IN ACCIDENT AND HEALTH INSURANCE POLICIES FOR CONVERSION PRIVILEGES FOR FORMER SPOUSES, with an indefinite postponement report.

H. B. 1015, A BILL TO BE ENTITLED AN ACT TO CLARIFY A PROVISION IN THE GROUP HEALTH INSURANCE CONTINUATION AND CONVERSION PRIVILEGES LAW, with an indefinite postponement report.

S. B. 533, A BILL TO BE ENTITLED AN ACT TO AMEND THE SAFE DRIVER INSURANCE PLAN PROVISIONS ON THE PROPERTY DAMAGE MONETARY THRESHOLD FOR CHARGEABLE ACCIDENTS, with an indefinite postponement report.

SUSPENSION OF RULES TO INTRODUCE LOCAL BILL

On motion of Representative Evans, Rule 31.1 is suspended by a two-thirds majority vote in order for a local bill to be filed.

INTRODUCTION OF BILLS AND RESOLUTIONS

On motion of Representative Warren, the rules are suspended and the following is read the first time.

By Representatives Warren and Jones:

H. B. 1462, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO PURCHASE LAND AND BUILDING TO HOUSE THE NURSING AND ALLIED HEALTH PROGRAM – PITT COMMUNITY COLLEGE, is referred to the Committee on Appropriations.

On motion of Representative Church, the rules are suspended and the following is read the first time.

By Representative Church:

H. B. 1463, A BILL TO BE ENTITLED AN ACT TO RESOLVE A CONFLICT BETWEEN THE PRIVATE PROTECTIVE SERVICES ACT AS AMENDED BY THE 1983 GENERAL ASSEMBLY AND THE ALARM SYSTEMS LICENSING ACT AS ENACTED BY THE 1983 GENERAL ASSEMBLY.

On motion of Representative Church, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading, by electronic vote (94-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

On motion of Representative Watkins, the rules are suspended and the following is read the first time.

By Representative Watkins:

H. B. 1464, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 758 OF THE SESSION LAWS OF 1983 REGARDING THE APPLICATION OF THAT CHAPTER.

On motion of Representative Watkins, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading, by electronic vote (90-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by special Message.

On motion of Representative Evans, the rules are suspended and the following is read the first time.

By Representatives Evans and Wright:

H. B. 1465, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN COUNTIES AND CITIES TO REGULATE ABANDONED, JUNKED VEHICLES FOR AESTHETIC PURPOSES.

On motion of Representative Evans, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

CALENDAR

Action is taken on the following:

H. B. 724, A BILL TO BE ENTITLED AN ACT TO LIMIT MOTORBOAT NOISE ON VARIOUS LAKES.

On motion of Representative Economos, the House concurs in the Senate amendment and the bill is ordered enrolled.

Committee Substitute for H. B. 1352, A BILL TO BE ENTITLED AN ACT TO PROVIDE A FAIR PROCEDURE IN PARTITION SALES.

Representative Lancaster offers Amendment No. 2 which is adopted by electronic vote (78-0).

Representative Lancaster offers Amendment No. 3 which is adopted by electronic vote (77-0).

The bill, as amended, passes its third reading, by electronic vote (83-0), and is ordered engrossed and sent to the Senate.

S. B. 333, A BILL TO BE ENTITLED AN ACT TO REDUCE THE YEARS A JUDGE MUST HAVE SERVED BEFORE RETIREMENT TO QUALIFY AS AN EMERGENCY JUDGE.

The bill, as amended, passes its third reading, by electronic vote (90-2), and is ordered sent to the Senate for concurrence in House amendment by Special Message.

Committee Substitute for H. B. 935, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE CRIMINAL JUSTICE INFORMATION SYSTEM AND COMPUTERIZED RECORDS STUDY COMMISSION, passes its second reading, by electronic vote (78-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H. B. 47, A BILL TO BE ENTITLED AN ACT CONCERNING USE OF SCHOOL BUSES BY SENIOR CITIZENS GROUPS.

Representative Hasty offers Amendment No. 1 which is adopted.

Representative Anderson moves that the bill be re-referred to the Committee on Education.

Representative DeVane moves, seconded by Representative Wright, that the bill do lie upon the table and this motion fails by electronic vote (30-57).

Representative Bruce Ethridge moves, seconded by Representative McDowell, that the motion by Representative Anderson to re-refer the bill do lie upon the table and this motion fails by electronic vote (44-48).

Representative Anderson calls the previous question on the motion to re-refer and the call is sustained.

On motion of Representative Anderson, the bill is ordered engrossed and re-referred to the Committee on Education by electronic vote (50-46).

Representative Edwards moves that the vote by which H. B. 47 was re-referred to the Committee on Education be reconsidered.

Representative Edwards calls the previous question on his motion and the call is sustained.

A division having been called, the motion to reconsider fails by electronic vote (44-46).

Representative Anderson moves, seconded by Representative Lilley, that the vote by which the bill was re-referred be reconsidered and that this motion do lie upon the table and this motion fails by electronic vote (45-46).

Committee Substitute No. 3 for H. B. 806, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DUTY TO STOP IN EVENT OF A MOTOR VEHICLE ACCIDENT.

Representative Helms offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading by electronic vote (83-11).

Representative Helms objects to the third reading. The bill remains on the Calendar.

Committee Substitute for H. B. 1175, A BILL TO BE ENTITLED AN ACT TO MAKE POSSESSION OF ONE-THIRD OUNCE OF MARIJUANA ON SCHOOL PREMISES A MISDEMEANOR.

Representative Musselwhite offers Amendment No. 1 which is adopted.

On motion of Representative Musselwhite, consideration of the bill is postponed until July 18, 1983.

Committee Substitute for H. B. 1240, A BILL TO BE ENTITLED AN ACT TO PROVIDE CONFIDENTIALITY IN LEGISLATIVE COMMUNICATIONS.

Representative Miller offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (96-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate without engrossment by Special Message.

Committee Substitute Joint Resolution for H. B. 1362, A JOINT RESOLUTION TO AUTHORIZE THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE CREATION OF LIENS ON AIRCRAFT FOR THE AMOUNT OF EARNED BUT UNPAID INSURANCE PREMIUMS ON THE AIRCRAFT.

On motion of Representative Seymour, the bill is re-referred to the Committee on Appropriations.

Representative Barbee presiding.

H. B. 1405, A BILL TO BE ENTITLED AN ACT TO ALLOW A COURT TO REFORM INTERESTS IN PROPERTY THAT VIOLATE THE RULE AGAINST PERPETUITIES, passes its second reading, by electronic vote (84-0), and there being no objection is read a third time.

Representative Helms offers Amendment No. 1 which is adopted by electronic vote (77-0).

The bill, as amended, passes its third reading, by electronic vote (86-0), and is ordered sent to the Sente, without engrossment, by Special Message.

H. B. 1451, A BILL TO BE ENTITLED AN ACT TO CONFORM SUBCHAPTER 1 OF CHAPTER 76A OF THE GENERAL STATUTES AFFECTING THE CAPE FEAR RIVER NAVIGATION AND PILOTAGE COMMISSION WITH THE PROVISIONS OF SUBCHAPTER 2 OF CHAPTER 76A AFFECTING THE MOREHEAD CITY NAVIGATION AND PILOTAGE COMMISSION, passes its second reading, by electronic vote (81-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H. B. 1264, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT ELECTIONS SHALL NORMALLY BE HELD IN MAY OR NOVEMBER SO AS TO REDUCE THE COST AND FREQUENCY OF SPECIAL ELECTIONS.

On motion of Representative Holt, seconded by Representative Seymour, the bill and amendment are tabled by electronic vote (57-25).

H. B. 1415, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT A PERSON APPOINTED TO FILL A VACANCY IN AN ELECTED CITY OFFICE SHALL SERVE ONLY UNTIL THE NEXT CITY ELECTION.

On motion of Representative Enloe, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (79-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate without engrossment by Special Message.

Committee Substitute for S. B. 556, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 143-134.1 TO REQUIRE TIMELY PAYMENTS TO SUBCONTRACTORS AND TO PREVENT RETAINAGE PERCENTAGES ON SUBCONTRACT PAYMENTS TO EXCEED THOSE ON PRIME CONTRACT PAYMENTS.

Representatives Sparrow, Brawley, and Brannan request that they be excused from voting on this bill under Rule 24.1A and their requests are granted.

The bill passes its second reading, by electronic vote (77-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

The Speaker presiding.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

Senate Committee Substitute for House Committee Substitute for H. B. 426, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE VARIOUS TRANSIENT OCCUPANCY TAXES, TO AUTHORIZE COUNTIES TO LEVY ONE-HALF PERCENT SALES AND USE TAXES, TO ALLOW LOCALITIES TO SPEND SALES TAX REVENUE ON HOUSING, AND TO CHANGE THE METHOD OF FUNDING FOR MEMBERS OF THE LAW ENFORCEMENT OFFICERS' RETIREMENT SYSTEM WHO ARE LOCAL GOVERNMENT EMPLOYEES, is returned for concurrence in Senate committee substitute.

On motion of Representative Quinn, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Quinn, the House does not concur in the Senate committee substitute and a conference committee is requested.

The Speaker appoints as conferees on the part of the House Representatives Quinn, Chairman; Watkins, Hunter, Bowen, Locks, Rabon, and Murphy and the Senate is so notified by Special Message.

CALENDAR (continued)

S. B. 638, A BILL TO BE ENTITLED AN ACT TO MAKE A TECHNICAL AMENDMENT TO CHAPTER 23 OF THE 1983 SESSION LAWS TO AUTHORIZE THE DEPARTMENT OF HUMAN RESOURCES TO FIX PAYMENTS FOR SERVICES RENDERED TO THE PUBLIC, passes its second reading, by electronic vote (79-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 642, A BILL TO BE ENTITLED AN ACT TO MAKE CHANGES TO THE MEMBERSHIP AND APPOINTMENT AUTHORITY OF THE NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION, passes its second reading, by electronic vote (89-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 647, A BILL TO BE ENTITLED AN ACT TO ABOLISH THE SALE OF TAX LIENS TO PRIVATE PURCHASERS, passes its second reading, by electronic vote (88-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 626, A BILL TO BE ENTITLED AN ACT TO TAX ALL COMMERCIALLY MANUFACTURED SWINE, LIVESTOCK, AND POULTRY EQUIPMENT USED BY FARMERS AT A UNIFORM RATE.

The Speaker rules that the bill is not a roll call bill.

The bill passes its second reading, by electronic vote (91-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

S. B. 662, A BILL TO BE ENTITLED AN ACT TO ALLOW SANITARY DISTRICTS TO MAKE ASSESSMENTS AGAINST BENEFITTED PROPERTY FOR WATER AND SEWER PROJECTS, is read the first time and is referred to the Committee on Rules and Operation of the House.

S. B. 222, A BILL TO BE ENTITLED AN ACT TO ALLOW ANY UNUSED PORTION OF THE TAX CREDIT PROVIDED FOR CONVERSION OF AN INDUSTRIAL BOILER TO WOOD FUEL TO BE CARRIED FORWARD FOR FIVE YEARS, is read the first time and is referred to the Committee on Rules and Operation of the House.

S. B. 681, A BILL TO BE ENTITLED AN ACT RELATING TO BAIL BOND

FORFEITURES, is read the first time and is referred to the Committee on Rules and Operation of the House.

S. B. 461, A BILL TO BE ENTITLED AN ACT TO EXEMPT NEWSPAPER ADVERTISING SUPPLEMENTS FROM THE NORTH CAROLINA SALES TAX, is read the first time and is referred to the Committee on Rules and Operation of the House.

S. B. 685, A BILL TO BE ENTITLED AN ACT CONCERNING THE TRANSPORTATION OF FARM PRODUCTS, is read the first time and is referred to the Committee on Rules and Operation of the House.

Representative Evans sends forth the following Conference Report and moves its adoption.

CONFERENCE REPORT

July 15, 1983

TO: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES:

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on the fourth Edition, Engrossed on July 11, 1983, of H. B. 1191, A BILL TO BE ENTITLED AN ACT TO EXEMPT PRIVATE HOMES OFFERING BED AND BREAKFAST ACCOMMODATIONS FROM THE FOOD AND LODGING REQUIREMENTS OF THE PUBLIC HEALTH LAWS AND TO AUTHORIZE THE HEALTH SERVICES COMMISSION TO ADOPT RULES BY JULY 1, 1984, wish to report as follows:

that the bill be amended

1. on page 1, line 18, by deleting Section 3 of the bill; and
2. on page 2, line 1, by renumbering Section 4 as Section 3.

To this end, we the Conferees, recommend that the House of Representatives and the Senate adopt this report.

This the 15th day of July, 1983.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ OLLIE HARRIS	S/ CHARLES D. EVANS
S/ JAMES H. EDWARDS	S/ MARY L. JARRELL
S/ RUSSELL WALKER	S/ B. P. WOODARD

The Conference Report, which changes the title, is adopted, by electronic vote (92-0), and the Senate is so notified by Special Message.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. B. 23, AN ACT TO MAKE APPROPRIATIONS FOR CURRENT OPERATIONS OF STATE DEPARTMENTS, INSTITUTIONS, AND AGENCIES, AND FOR OTHER PURPOSES.

H. B. 21, AN ACT TO REMOVE THE DEFENSES OF UNLAWFUL ARREST IN

CASES OF RESISTING ARREST BY USE OF A DEADLY WEAPON OR DEADLY FORCE.

H. B. 56, AN ACT TO AMEND THE SAFE DRIVER INSURANCE PLAN PROVISIONS BY INCREASING THE PROPERTY DAMAGE THRESHOLD FOR CHARGEABLE ACCIDENTS AND ELIMINATING SURCHARGES FOR CERTAIN SPEEDING TRAFFIC VIOLATIONS.

H. B. 612, AN ACT TO REVISE THE STATUTES RELATING TO THE GAME COMMISSION OF CURRITUCK COUNTY.

H. B. 909, AN ACT TO AMEND ARTICLE V OF THE CONSTITUTION OF NORTH CAROLINA TO AUTHORIZE THE GENERAL ASSEMBLY TO CREATE AN AGENCY TO ISSUE REVENUE BONDS TO FINANCE AGRICULTURAL FACILITIES PROJECTS, SUBJECT TO THE APPROVAL OF THE ELECTORATE.

H. B. 954, AN ACT TO REGULATE THE PURCHASE OF MUTUAL BURIAL ASSOCIATIONS.

H. B. 1302, AN ACT TO PERMIT CERTAIN EMPLOYEES OF THE CHARLOTTE FIRE DEPARTMENT TO PURCHASE CREDIT IN THE CHARLOTTE FIREMEN'S RETIREMENT SYSTEM FOR PRIOR SERVICE AS FIRE OFFICERS.

H. B. 1331, AN ACT TO MAKE VARIOUS TECHNICAL AMENDMENTS TO THE GENERAL STATUTES AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

H. B. 1371, AN ACT TO ALLOW CERTAIN HOUSING AUTHORITIES TO ENGAGE IN MODERATE INCOME HOUSING.

H. B. 1400, AN ACT TO CLARIFY THE PROVISIONS OF THE FAIR EMPLOYMENT AND DISMISSAL ACT.

H. B. 1401, AN ACT PROVIDING THAT THE HENDERSON COUNTY JAIL SHALL BE OPERATED AS PROVIDED BY THE GENERAL STATUTES.

S. B. 524, AN ACT TO EXTEND DEATH BENEFITS UNDER THE WORKERS' COMPENSATION ACT.

H. B. 767, AN ACT TO AMEND G. S. 90-108 TO PROHIBIT EMBEZZLEMENT OF CONTROLLED SUBSTANCES BY EMPLOYEES OF PRACTITIONERS AND REGISTRANTS, AND TO PROHIBIT "DOCTOR SHOPPING" AS A MEANS OF FRAUDULENTLY OBTAINING CONTROLLED SUBSTANCES FROM PRACTITIONERS.

H. B. 905, AN ACT TO ELIMINATE THE JUDICIAL COUNCIL AND RECONSTITUTE THE NORTH CAROLINA COURTS COMMISSION.

H. B. 645, AN ACT TO RECODIFY THE PUBLIC HOSPITAL LAWS IN CHAPTERS 131 AND 131B AND IN PORTIONS OF CHAPTER 130 OF THE GENERAL STATUTES.

S. J. R. 690, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF PATRICIA ALLEN BENTON.

H. B. 596, AN ACT AUTHORIZING AN INJURED PARTY TO TESTIFY AS TO MEDICAL CHARGES.

On motion of Representative Hunt, seconded by Representative Nesbitt, the House adjourns to reconvene Monday, July 18, 1983 at 8:00 p.m.

ONE HUNDRED THIRTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Monday, July 18, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Lilley.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of July 15 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Bumgardner, Diamont, C. Hughes, James, Musselwhite, and Roberts for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Foster for the Committee on Education:

H. B. 47, A BILL TO BE ENTITLED AN ACT CONCERNING USE OF SCHOOL BUSES BY SENIOR CITIZENS GROUPS, with a favorable report.

By Representative Mavretic for the Committee on Pensions and Retirement:

H. B. 1183, A BILL TO BE ENTITLED AN ACT TO AMEND THE UNIFORM JUDICIAL RETIREMENT ACT PERTAINING TO BENEFITS ON DEATH BEFORE RETIREMENT, with an indefinite postponement report.

H. B. 1251, A BILL TO BE ENTITLED AN ACT TO GIVE THE CITY OF EDEN AUTHORITY TO ABOLISH THE CITY OF EDEN EMPLOYEES' RETIREMENT SYSTEM UPON TRANSFER OF EMPLOYEES TO THE NORTH CAROLINA LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM, with an indefinite postponement report.

S. B. 472, A BILL TO BE ENTITLED AN ACT TO EXTEND THIRTY-YEAR UNREDUCED RETIREMENT BENEFITS TO TEACHERS AND STATE EMPLOYEES WHO RETIRED PRIOR TO JULY 1, 1973, AND WHO CONTRIBUTED TO THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM FOR THIRTY OR MORE YEARS, with a favorable report.

Committee Substitute for S. B. 537, A BILL TO BE ENTITLED AN ACT TO INCLUDE VESTED PENSION OR RETIREMENT RIGHTS IN MARITAL PROPERTY FOR PURPOSES OF EQUITABLE DISTRIBUTION, with an indefinite postponement report.

By Representative Watkins for the Committee on Appropriations:

H. B. 34, A BILL TO BE ENTITLED AN ACT TO PROVIDE ALL SENIOR COLLEGES WITH COPIES OF THE SESSION LAWS AND HOUSE AND SENATE

JOURNALS, with an unfavorable report as to bill, favorable as to committee substitute bill.

On motion of Representative Watkins, the rules are suspended and the bill is placed on the Calendar for July 19, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 726, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DISPOSITION OF REVENUE GENERATED BY THE SALE OF PERSONALIZED REGISTRATION PLATES, with a favorable report.

H. B. 797, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE ATTORNEY GENERAL TO APPOINT AN ATTORNEY SPECIALIZING IN THE LAW OF THE HANDICAPPED, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

On motion of Representative Watkins, the rules are suspended and the bill is placed on the Calendar for July 19, 1983. The original bill is placed on the Unfavorable Calendar.

Committee Substitute for H. B. 1122, A BILL TO BE ENTITLED AN ACT TO CREATE THE NEW TECHNOLOGY JOBS ACT, with an unfavorable report as to Committee Substitute Bill No. 1, favorable as to Committee Substitute Bill No. 2.

On motion of Watkins, the rules are suspended and Committee Substitute Bill No. 2 is placed on the Calendar for July 19, 1983. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

H. B. 1307, A BILL TO BE ENTITLED AN ACT TO CREATE THE PUBLIC EDUCATION POLICY COUNCIL, with an unfavorable report as to bill, favorable as to committee substitute bill.

On motion of Representative Watkins, the rules are suspended and the substitute bill is placed on the Calendar for July 19, 1983. The original bill is placed on the Unfavorable Calendar.

H. B. 1395, A BILL TO BE ENTITLED AN ACT TO PERMIT CERTAIN GRANTS OF CERTIFICATES OF NEED, with a favorable report.

House Committee Substitute for S. B. 229, A BILL TO BE ENTITLED AN ACT REQUIRING A COST STATEMENT TO APPEAR ON STATE PUBLICATIONS, with an unfavorable report as to bill, favorable as to House committee substitute bill #2.

On motion of Representative Watkins, the rules are suspended and the House substitute bill #2 is placed on the Calendar for July 19, 1983. The original bill is placed on the Unfavorable Calendar.

S. J. R. 258, A JOINT RESOLUTION AUTHORIZING CONTINUATION OF THE JOINT SPECIAL COMMITTEE TO REVIEW THE DEPARTMENT OF TRANSPORTATION, with a favorable report.

Committee Substitute for S. B. 346, A BILL TO BE ENTITLED AN ACT TO PERMIT ACTIVE MEMBERS OF THE ARMED SERVICES AND THEIR DEPENDENTS TO BE ELIGIBLE FOR IN-STATE TUITION AT STATE COMMUNITY COLLEGES, TECHNICAL INSTITUTIONS AND THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA, with an unfavorable report as to Senate committee substitute bill, favorable as to House committee substitute bill.

On motion of Representative Watkins, the rules are suspended and the House committee substitute bill is placed on the Calendar for July 19, 1983. The original bill is placed on the Unfavorable Calendar.

S. B. 433, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GUARDIAN AD LITEM APPOINTED FOR A JUVENILE ALLEGED ABUSED OR NEGLECTED MAY PETITION FOR TERMINATION OF PARENTAL RIGHTS, with an unfavorable report as to bill, favorable as to House committee substitute bill.

On motion of Representative Watkins, the rules are suspended and the House committee substitute bill is placed on the Calendar for July 19, 1983. The original bill is placed on the Unfavorable Calendar.

Committee Substitute No. 1 for H. B. 491, A BILL TO BE ENTITLED AN ACT TO CLASSIFY MINOR TRAFFICE OFFENSES AS INFRACTIONS AND TO PROVIDE A PROCEDURE FOR THE DISPOSITION OF SUCH INFRACTIONS BY THE COURTS, with an unfavorable report as to Committee Substitute Bill No. 1, favorable as to Committee Substitute Bill No. 2.

On motion of Representative Watkins, the rules are suspended and Committee Substitute Bill No. 2 is placed on the Calendar for July 19, 1983. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

Committee Substitute No. 1 for H. B. 33, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR NEW COURT EMPLOYEES, with an unfavorable report as to Committee Substitute Bill No. 1, favorable as to Committee Substitute Bill No. 2, which changes the title.

On motion of Representative Watkins, the rules are suspended and Committee Substitute Bill No. 2 is placed before the House for immediate consideration. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

The bill passes its second reading, by electronic vote (88-5), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H. B. 164, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS FOR SCREENING FOR NEURAL TUBE DEFECTS, with an unfavorable report as to bill, favorable as to committee substitute bill.

On motion of Representative Watkins, the rules are suspended and the bill is placed before the House for immediate consideration. The original bill is placed on the Unfavorable Calendar.

The bill passes its second reading, by electronic vote (94-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute No. 1 for H. B. 451, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE PUBLICATION OF SUMMARIES OF PROPOSED CONSTITUTIONAL AMENDMENTS, with an unfavorable report as to Committee Substitute Bill No. 1, favorable as to Committee Substitute Bill No. 2.

On motion of Representative Watkins, the rules are suspended and Committee Substitute Bill No. 2 is placed before the House for immediate consideration. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

The bill passes its second reading, by electronic vote (94-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H. B. 478, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DIVISION OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES OF THE DEPARTMENT OF HUMAN RESOURCES FOR THE PURPOSE OF INCREASING ADULT DEVELOPMENTAL ACTIVITY PROGRAMS' MONTHLY SUBSIDY, with an unfavorable report as to bill, favorable as to committee substitute bill.

On motion of Representative Watkins, the rules are suspended and the substitute bill is placed before the House for immediate consideration. The original bill is placed on the Unfavorable Calendar.

The bill passes its second reading, by electronic vote (89-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H. B. 509, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR LUTHERAN FAMILY SERVICES IN NORTH CAROLINA, INC., AS A GRANT-IN-AID TO A PRIVATE CHILD-CARING INSTITUTION, with an unfavorable report as to bill, favorable as to committee substitute bill.

On motion of Representative Watkins, the rules are suspended and the substitute bill is placed before the House for immediate consideration. The original bill is placed on the Unfavorable Calendar.

The bill passes its second reading, by electronic vote (89-5), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H. B. 538, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS FOR MATERNITY HOME CARE, with an unfavorable report as to bill, favorable as to committee substitute bill.

On motion of Representative Watkins, the rules are suspended and the substitute bill is placed before the House for immediate consideration. The original bill is placed on the Unfavorable Calendar.

The bill passes its second reading, by electronic vote (92-8), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H. B. 581, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE MATCHING FUNDS FOR COUNTY DAY-CARE COORDINATING AGENCIES, with an unfavorable report as to bill, favorable as to committee substitute bill.

On motion of Representative Watkins, the rules are suspended and the substitute bill is placed before the House for immediate consideration. The original bill is placed on the Unfavorable Calendar.

The bill passes its second reading, by electronic vote (91-9), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H. B. 745, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO REDUCE THE UNDUE BURDEN PLACED ON WARREN COUNTY AFTER HAVING TO ABSORB THE PCB TOXIC WASTE THAT WAS SPREAD OVER SOME THIRTEEN COUNTIES AND FORT BRAGG, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

On motion of Representative Watkins, the rules are suspended and the substitute bill is placed before the House for immediate consideration. The original bill is placed on the Unfavorable Calendar.

The bill passes its second reading, by electronic vote (93-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H. B. 1017, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR WESTERN NORTH CAROLINA MARKET DEVELOPMENT, with an unfavorable report as to bill, favorable as to committee substitute bill.

On motion of Representative Watkins, the rules are suspended and the substitute bill is placed before the House for immediate consideration. The original bill is placed on the Unfavorable Calendar.

The bill passes its second reading, by electronic vote (93-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H. B. 1018, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE ACQUISITION OF PARKLANDS, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

On motion of Representative Watkins, the rules are suspended and the substitute bill is placed before the House for immediate consideration. The original bill is placed on the Unfavorable Calendar.

The bill passes its second reading, by electronic vote (94-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H. B. 1112, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 163 OF THE GENERAL STATUTES TO AUTHORIZE REGISTRATION OF VOTERS BY DRIVER LICENSE EXAMINERS OF THE DIVISION OF MOTOR VEHICLES, with an unfavorable report as to bill, favorable as to committee substitute bill.

On motion of Representative Watkins, the rules are suspended and the substitute bill is placed before the House for immediate consideration. The original bill is placed on the Unfavorable Calendar.

The bill passes its second reading, by electronic vote (83-21), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H. B. 1137, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN EDUCATION PROGRAM SPECIALIST AND A MEDIA TECHNICIAN TO AID MEDICAL PROFESSIONALS AND PARENTS, AND EDUCATORS OF HEARING IMPAIRED CHILDREN, with an unfavorable report as to bill, favorable as to committee substitute bill.

On motion of Representative Watkins, the rules are suspended and the substitute bill is placed before the House for immediate consideration. The original bill is placed on the Unfavorable Calendar.

The bill passes its second reading, by electronic vote (98-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H. B. 1161, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES FOR THE COMMITTEE ON ART IN STATE BUILDINGS, with an unfavorable report as to bill, favorable as to committee substitute bill.

On motion of Representative Watkins, the rules are suspended and the substitute bill is placed before the House for immediate consideration. The original bill is placed on the Unfavorable Calendar.

The bill passes its second reading, by electronic vote (90-11), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H. B. 1219, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR ELECTRONIC DATA PROCESSING FOR THE DEPARTMENT OF INSURANCE, with an unfavorable report as to bill, favorable as to committee substitute bill.

On motion of Representative Watkins, the rules are suspended and the substitute bill is placed before the House for immediate consideration. The original bill is placed on the Unfavorable Calendar.

The bill passes its second reading, by electronic vote (99-6), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H. B. 1329, A BILL TO BE ENTITLED AN ACT TO INCREASE THE RATE OF SUPPORT IN SPECIALIZED COMMUNITY RESIDENTIAL CENTERS SERVING MENTALLY RETARDED CHILDREN, with an unfavorable report as to bill, favorable as to committee substitute bill.

On motion of Representative Watkins, the rules are suspended and the substitute bill is placed before the House for immediate consideration. The original bill is placed on the Unfavorable Calendar.

The bill passes its second reading, by electronic vote (104-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H. B. 990, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS BY

CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA, with an unfavorable report as to bill, favorable as to committee substitute bill.

On motion of Representative Watkins, the rules are suspended and the substitute bill is placed before the House for immediate consideration. The original bill is placed on the Unfavorable Calendar.

The Speaker rules that this is not a roll call bill.

The bill passes its second reading, by electronic vote (102-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H. J. R. 1185, A JOINT RESOLUTION DIRECTING THE MENTAL HEALTH STUDY COMMISSION TO PREPARE A RECODIFICATION DRAFT OF CHAPTER 122 OF THE GENERAL STATUTES, TITLED "HOSPITALS FOR THE MENTALLY DISORDERED", AND OF RELATED STATUTES, with a favorable report.

On motion of Representative Watkins, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its third reading, by electronic vote (101-1), and is ordered sent to the Senate by Special Message.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

Committee Substitute for H. B. 376, A BILL TO BE ENTITLED AN ACT RELATING TO THE DISPOSITION OF ANIMALS BY ANIMAL SHELTERS AND POUNDS, is returned for concurrence in Senate amendment and is placed on the Calendar for July 19, 1983.

Committee Substitute No. 2 for H. B. 933, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALTERATION OF A MARRIAGE LICENSE WHEN A PARTY TO THE MARRIAGE LAWFULLY CHANGES HIS OR HER NAME, is returned for concurrence in Senate amendment and is placed on the Calendar for July 19, 1983.

Senate Committee Substitute No. 2 for H. B. 810, A BILL TO BE ENTITLED AN ACT TO ALLOW THE SPEAKER OF THE HOUSE AND THE PRESIDENT OF THE SENATE TO AUTHORIZE STUDIES BY STANDING COMMITTEES AND TO CREATE AND APPOINT SELECT COMMITTEES OF THE GENERAL ASSEMBLY, AND TO MAKE TECHNICAL AMENDMENTS, is returned for concurrence in Senate committee substitute and is referred to the Committee on Rules and Operation of the House.

Senate Committee Substitute for H. B. 1090, A BILL TO BE ENTITLED AN ACT TO LIMIT THE OPERATION IN NORTH CAROLINA OF TRUCKS WITH TWO TRAILERS AND INCREASED LENGTHS AND WIDTHS MANDATED BY FEDERAL LAW AND TO CONFORM THE NORTH CAROLINA LAW TO FEDERAL REQUIREMENTS, is returned for concurrence in Senate committee substitute and is referred to the Committee on Transportation.

Senate Committee Substitute for House Committee Substitute for H. B. 1419, A BILL TO BE ENTITLED AN ACT TO PROHIBIT USE OF BORROWERS' INSURANCE INFORMATION BY LENDERS EXCEPT FOR THE EXTENSION OF CREDIT, is returned for concurrence in Senate committee substitute and is referred to the Committee on Insurance.

Committee Substitute No. 2 for S. B. 436, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE LICENSING OF PERSONS PRACTICING OCCUPATIONAL THERAPY, is read the first time and is referred to the Committee on Rules and Operation of the House.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Senate Committee Substitute for H. B. 1117, A BILL TO BE ENTITLED AN ACT TO AMEND THE NORTH CAROLINA SECURITIES ACT, is returned for concurrence in Senate committee substitute and is referred to the Committee on Judiciary No. 1.

On motion of Representative Miller, the bill is withdrawn from the Committee on Judiciary No. 1.

On motion of Representative Miller, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Miller, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

Senate Committee Substitute for H. B. 688, A BILL TO BE ENTITLED AN ACT TO AMEND THE LICENSING OF DOMICILIARY HOMES FOR THE AGED OR DISABLED AND THE DOMICILIARY BILL OF RIGHTS, is returned for concurrence in Senate committee substitute and is referred to the Committee on Aging.

S. B. 555, A BILL TO BE ENTITLED AN ACT ESTABLISHING REGULATION OF AND THE LICENSING OF THE PRACTICE OF GEOLOGY AND TO ESTABLISH THE QUALIFICATIONS, TRAINING AND EXPERIENCE FOR PERSONS SEEKING TO REPRESENT THEMSELVES TO THE PUBLIC AS GEOLOGISTS; CREATING A STATE BOARD FOR LICENSING OF GEOLOGISTS; DEFINING THE FUNCTIONS AND DUTIES OF THAT BOARD; AND PROVIDING FOR PENALTIES, is read the first time and is referred to the Committee on Rules and Operation of the House.

S. B. 682, A BILL TO BE ENTITLED AN ACT TO PROHIBIT POSSESSION AND CONSUMPTION OF MALT BEVERAGES AND UNFORTIFIED WINE ON PUBLIC SCHOOL PROPERTY, is read the first time and is referred to the Committee on Rules and Operation of the House.

S. B. 644, A BILL TO BE ENTITLED AN ACT TO IMMUNIZE LOCAL GOVERNMENT UNITS FOR THE TORTS OF PERSONS PERFORMING COURT-ORDERED COMMUNITY SERVICE, is read the first time and is referred to the Committee on Rules and Operation of the House.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 15, 1983

Mr. Speaker:

Pursuant to your message that the House of Representatives fails to concur in the Senate Committee Substitute for House Committee Substitute for H. B. 426, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE VARIOUS TRANSIENT OCCUPANCY TAXES, TO AUTHORIZE COUNTIES TO LEVY ONE-HALF PERCENT SALES

AND USE TAXES, TO ALLOW LOCALITIES TO SPEND SALES TAX REVENUE ON HOUSING, AND TO CHANGE THE METHOD OF FUNDING FOR MEMBERS OF THE LAW ENFORCEMENT OFFICERS' RETIREMENT SYSTEM WHO ARE LOCAL GOVERNMENT EMPLOYEES, and requests conferees, the President appoints Senators Rauch, Chairman; Duncan, E. Edwards, Hunt, Jenkins, Staton, and Warren on the part of the Senate to confer with a like committee on the part of the House to the end that the differences between the two Bodies may be resolved.

Respectfully,
SYLVIA FINK
Principal Clerk

On motion of Representative Tennille, the rules are suspended and H. B. 1458, A BILL TO BE ENTITLED AN ACT TO ALLOW FORSYTH COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, is withdrawn from the Committee on Finance and is placed on tonight's Calendar.

SUSPENSION OF RULES TO INTRODUCE LOCAL BILL

On motion of Representative Quinn, Rule 31.1 is suspended by a two-thirds majority vote in order for a local bill to be filed.

On motion of Representative Hunt, S. B. 461, A BILL TO BE ENTITLED AN ACT TO EXEMPT NEWSPAPER ADVERTISING SUPPLEMENTS FROM THE NORTH CAROLINA SALES TAX, is withdrawn from the Committeee on Rules and Operation of the House and is re-referred to the Committee on Finance.

INTRODUCTION OF BILLS AND RESOLUTIONS

On motion of Representative Quinn, the rules are suspended and the following is read the first time:

By Representative Quinn:

H. B. 1466, A BILL TO BE ENTITLED AN ACT REGARDING DISCOUNTS FOR PAYMENTS OF PROPERTY TAX IN CABARRUS COUNTY.

On motion of Representative Quinn, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

CALENDAR

Action is taken on the following:

H. B. 945, A BILL TO BE ENTITLED AN ACT CONCERNING THE REPORTING OF CERTAIN TRANSACTIONS IN UNITED STATES CURRENCY.

On motion of Representative Wicker, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 1343, A BILL TO BE ENTITLED AN ACT TO PROTECT ARTISTS' RIGHTS IN ARTWORK ON CONSIGNMENT.

On motion of Representative Kennedy, the House concurs in the two Senate amendments and the bill is ordered enrolled.

Committee Substitute No. 3 for H. B. 806, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DUTY TO STOP IN EVENT OF A MOTOR VEHICLE ACCIDENT.

Representative Helms offers Amendment No. 2 which is adopted by electronic vote (104-0).

Representative Slaughter offers Amendment No. 3 which is adopted by electronic vote (85-15).

The bill, as amended, passes its third reading, by electronic vote (105-1), and is ordered sent to the Senate, without engrossment, by Special Message.

H. B. 1458, A BILL TO BE ENTILED AN ACT TO ALLOW FORSYTH COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Anderson, Auman, Ballance, Barbee, Barker, Beall, Beam, Beard, Berry, Black, Bowen, Brannan, Brennan, Chapin, Childress, Church, Clark, J. W. Crawford, N. J. Crawford, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gillam, Gist, Greenwood, Grimsley, Hasty, Hauser, Hayden, Helms, Hightower, Holt, Hudson, Hunt, Hunter, Huskins, Jarrell, Jeralds, Keesee, Kennedy, Lancaster, Lee, Lutz, McAlister, Mauney, Mavretic, Miller, Murphy, Nesbitt, Payne, Pool, Rabon, Rhodes, Seymour, Slaughter, Sparrow, Spoon, Tennille, Thomas, Tyndall, Tyson, Warren, Watkins, Wicker, and Womble — 75.

Voting in the negative: Representatives Brawley, Brubaker, Cochrane, Holmes, J. Hughes, Jones, Jordan, Lambeth, Ligon, Lilley, Locks, Poovey, Pulley, Redding, Varner, C. Woodard, and Wright — 17.

Excused absences: Representatives Bumgardner, Diamont, C. Hughes, James, Musselwhite, and Roberts — 6.

Committee Substitute for H. B. 1175, A BILL TO BE ENTITLED AN ACT TO MAKE POSSESSION OF ONE-THIRD OUNCE OF MARIJUANA ON SCHOOL PREMISES A MISDEMEANOR.

On motion of Representative Adams, the bill is re-referred to the Committee on Appropriations by electronic vote (73-34).

House Committee Substitute for S. B. 165, A BILL TO BE ENTITLED AN ACT TO CREATE THE FELONY OFFENSES OF CHILD ABUSE, USE OF A CHILD IN A SEXUAL PERFORMANCE, AND PROMOTING SEXUAL PERFORMANCE BY A CHILD, passes its second reading by electronic vote (108-0).

Representative Colton offers Amendment No. 1 which is adopted by electronic vote (102-1).

On motion of Representative Nesbitt, the third reading of the bill is postponed until July 19, 1983.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. J. R. 1211, A JOINT RESOLUTION MEMORIALIZING THE CONGRESS TO PASS EMERGENCY LEGISLATION TO OPEN UP THE TREACHEROUS CHANNEL AT OREGON INLET.

H. B. 60, AN ACT TO CLARIFY THE LAW CONCERNING UNDERINSURED MOTORIST COVERAGE.

H. B. 265, AN ACT TO ESTABLISH THE NORTH CAROLINA HOUSING COMMISSION.

H. B. 683, AN ACT TO REWRITE G. S. 20-217 PERTAINING TO PASSING STOPPED SCHOOL BUSES AND RECEIVING OR DISCHARGING PASSENGERS FROM SCHOOL BUSES STOPPED ON DIVIDED ROADWAYS.

H. B. 1253, AN ACT DEFINING LEGISLATIVE BRIBERY AND CONSOLIDATING THE STATUTES RELATING THERETO.

H. B. 1380, AN ACT TO RECOGNIZE THAT THE SUN HAS SET AND NIGHT SHOULD FALL ON THE LAW ENFORCEMENT OFFICERS' MINIMUM SALARY ACT.

H. B. 1382, AN ACT TO PERMIT EMPLOYEES OF THE STATE EMPLOYEES' CREDIT UNION THE OPTION OF TERMINATING MEMBERSHIP IN THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM.

S. B. 223, AN ACT TO PROVIDE ENABLING LEGISLATION FOR THE CONSOLIDATION AND MERGER OF THE EDEN CITY SCHOOLS ADMINISTRATIVE UNIT, THE MADISON-MAYODAN ADMINISTRATIVE UNIT, THE REIDSVILLE CITY ADMINISTRATIVE UNIT AND THE ROCKINGHAM COUNTY SCHOOLS ADMINISTRATIVE UNIT.

S. B. 333, AN ACT TO REDUCE THE YEARS A JUDGE MUST HAVE SERVED BEFORE RETIREMENT TO QUALIFY AS AN EMERGENCY JUDGE.

H. B. 206, AN ACT TO SIMPLIFY THE LISTING OF REAL AND PERSONAL PROPERTY IN TIME-SHARING ARRANGEMENTS.

H. B. 709, AN ACT TO ESTABLISH THE ALARM SYSTEMS LICENSING ACT.

H. B. 724, AN ACT TO LIMIT MOTORBOAT NOISE ON VARIOUS LAKES.

H. B. 882, AN ACT TO REPEAL CHAPTER 331 OF THE SESSION LAWS OF 1981 CONCERNING THE MECKLENGBURG COUNTY ALCOHOLIC BEVERAGE CONTROL BOARD.

H. B. 910, AN ACT CREATING THE NORTH CAROLINA AGRICULTURAL FACILITIES FINANCE AGENCY AND AUTHORIZING SAID AGENCY TO FINANCE THE CONSTRUCTION, ACQUISITION AND DEVELOPMENT OF AGRICULTURAL FACILITIES.

H. B. 1040, AN ACT TO INCREASE EXAMINATION AND LICENSE FEES FOR INSURANCE AGENTS, ADJUSTERS, APPRAISERS, BROKERS, AND COMPANIES; BAIL BONDSMEN AND RUNNERS; COLLECTION AGENCIES; AND MOTOR CLUBS.

H. B. 1342, AN ACT TO LIMIT THE USE OF CENTER-FIRE RIFLES IN HARNETT COUNTY.

H. B. 130, AN ACT AUTHORIZING A REFUND OF THE EXCISE TAX LEVIED ON SACRAMENTAL WINE.

H. B. 230, AN ACT TO PROVIDE AN INCOME TAX CREDIT FOR CERTAIN REAL PROPERTIES DONATED FOR CONSERVATION PURPOSES.

H. B. 255, AN ACT TO AMEND GENERAL STATUTES CHAPTER 74C THE PRIVATE PROTECTIVE SERVICES ACT.

H. B. 322, AN ACT AUTHORIZING THE DEPARTMENT OF HUMAN RESOURCES TO DESIGNATE GEOGRAPHIC AREAS WITHIN WHICH A SOLID WASTE MANAGEMENT PLAN WILL PROVIDE FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE; REQUIRING WASTE GENERATED WITHIN SAID AREAS TO BE DISPOSED OF AT PERMITTED SOLID WASTE MANAGEMENT FACILITIES; AUTHORIZING CITIES AND COUNTIES TO EVALUATE PROPOSALS AND NEGOTIATE CONTRACTS ON THE BASIS OF FACTORS OTHER THAN PRICE ALONE; AND EXPANDING THE POWERS OF MUNICIPALITIES WITH RESPECT TO THE ISSUANCE OF REVENUE BONDS FOR SYSTEMS, FACILITIES AND EQUIPMENT FOR THE COLLECTION, TREATMENT OR DISPOSAL OF SOLID WASTE.

H. B. 459, AN ACT EXEMPTING THE COUNTY OF GASTON FROM THE PROVISIONS OF ARTICLE 12, CHAPTER 160A OF THE GENERAL STATUTES, AS TO LEASES OF REAL ESTATE OWNED BY IT KNOWN AS GASTON MEMORIAL HOSPITAL PROPERTY AND THE SALE OF PERSONAL PROPERTY USED FOR THE HOSPITAL.

H. B. 1314, AN ACT TO AUTHORIZE CITIES TO SELL PROPERTY IN COMMUNITY DEVELOPMENT PROGRAMS TO REDEVELOPERS AT PRIVATE SALE.

H. B. 1326, AN ACT TO ALLOW A LIMITED DRIVING PRIVILEGE UPON CONVICTION OF SPEEDING VIOLATIONS.

H. B. 1330, AN ACT TO PROVIDE A METHOD TO ESTABLISH THAT A NOTICE OF SALE HAS BEEN POSTED AT THE COURTHOUSE AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

H. B. 1346, AN ACT CONCERNING CERTIFICATION OF CROP SEEDS.

H. B. 1366, AN ACT TO AMEND THE RULE REGARDING DEPOSITIONS UPON ORAL EXAMINATION.

H. B. 1403, AN ACT TO AMEND CHAPTERS 58 AND 66 OF THE GENERAL STATUTES TO ALLOW FOR LIMITED LICENSING OF MOTOR CLUB SALES AGENTS TO PROVIDE INSURANCE.

H. B. 1460, AN ACT TO AMEND THE CAPITAL IMPROVEMENTS APPROPRIATIONS ACT TO CONFORM TO THE REQUIREMENTS OF THE 1983 SEPARATION OF POWERS ACT.

S. B. 556, AN ACT TO AMEND G. S. 143-134.1 TO REQUIRE TIMELY PAYMENTS TO SUBCONTRACTORS AND TO PREVENT RETAINAGE PERCENTAGES ON SUBCONTRACT PAYMENTS TO EXCEED THOSE ON PRIME CONTRACT PAYMENTS.

S. B. 626, AN ACT TO TAX ALL COMMERCIALLY MANUFACTURED SWINE, LIVESTOCK, AND POULTRY EQUIPMENT USED BY FARMERS AT A UNIFORM RATE.

S. B. 638, AN ACT TO MAKE A TECHNICAL AMENDMENT TO CHAPTER 23 OF THE 1983 SESSION LAWS TO AUTHORIZE THE DEPARTMENT OF HUMAN RESOURCES TO FIX PAYMENTS FOR SERVICES RENDERED TO THE PUBLIC.

S. B. 642, AN ACT TO MAKE CHANGES TO THE MEMBERSHIP AND APPOINTMENT AUTHORITY OF THE NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION.

S. B. 647, AN ACT TO ABOLISH THE SALE OF TAX LIENS TO PRIVATE PURCHASERS.

H. B. 1393, AN ACT TO REWRITE THE GASTONIA POLICEMEN'S SUPPLEMENTARY PENSION FUND ACT.

H. B. 1463, AN ACT TO RESOLVE A CONFLICT BETWEEN THE PRIVATE PROTECTIVE SERVICES ACT AS AMENDED BY THE 1983 GENERAL ASSEMBLY AND THE ALARM SYSTEMS LICENSING ACT AS ENACTED BY THE 1983 GENERAL ASSEMBLY.

H. B. 1464, AN ACT TO AMEND CHAPTER 758 OF THE SESSION LAWS OF 1983 REGARDING THE APPLICATION OF THAT CHAPTER.

On motion of Representative Hunt, seconded by Representative Barbee, the House adjourns to reconvene July 19, 1983 at 10:00 a.m.

ONE HUNDRED THIRTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, July 19, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Brown.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of July 18 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Bumgardner, Diamont, James, Miller, Musselwhite, and Roberts for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Economos for the Committee on Aging:

Senate Committee Substitute for H. B. 688, A BILL TO BE ENTITLED AN ACT TO AMEND THE LICENSING OF DOMICILIARY HOMES FOR THE AGED OR DISABLED AND THE DOMICILIARY BILL OF RIGHTS, with recommendation that the House concur.

On motion of Representative Economos, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Economos, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

By Representative Pulley for the Committee on Judiciary No. 4:

H. B. 1454, A BILL TO BE ENTITLED AN ACT EXEMPTING TOWNS WITH

LESS THAN TWELVE THOUSAND FIVE HUNDRED PEOPLE FROM G. S. 14-234, with an indefinite postponement report.

On motion of Representative Hightower, Senate Committee Substitute for H. B. 1419, A BILL TO BE ENTITLED AN ACT TO PROHIBIT USE OF BORROWERS' INSURANCE INFORMATION BY LENDERS EXCEPT FOR THE EXTENSION OF CREDIT, is withdrawn from the Committee on Insurance.

On motion of Representative Hightower, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Hightower, the House concurs in the Senate committee substitute, which changes the title, and the bill is ordered enrolled.

CALENDAR

Action is taken on the following:

Committee Substitute for H. B. 34, A BILL TO BE ENTITLED AN ACT TO PROVIDE ALL SENIOR COLLEGES WITH COPIES OF THE SESSION LAWS AND HOUSE AND SENATE JOURNALS, passes its second reading, by electronic vote (80-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H. B. 726, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DISPOSITION OF REVENUE GENERATED BY THE SALE OF PERSONALIZED REGISTRATION PLATES, passes its second reading, by electronic vote (94-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for H. B. 797, A BILL TO BE ENTITLED AN ACT AUTHORIZING THE ATTORNEY GENERAL TO DESIGNATE AN ATTORNEY TO SPECIALIZE IN THE LAW OF THE HANDICAPPED, passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute No. 2 for H. B. 1122, A BILL TO BE ENTITLED AN ACT TO CREATE THE NEW TECHNOLOGY JOBS ACT, passes its second reading, by electronic vote (95-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

Committee Substitute for H. B. 1307, A BILL TO BE ENTITLED AN ACT TO CREATE THE PUBLIC EDUCATION POLICY COUNCIL, passes its second reading, by electronic vote (98-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H. B. 1395, A BILL TO BE ENTITLED AN ACT TO PERMIT CERTAIN GRANTS OF CERTIFICATES OF NEED, passes its second reading, by electronic vote (95-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

House Committee Substitute No. 2 for S. B. 229, A BILL TO BE ENTITLED AN ACT REQUIRING A COST STATEMENT TO APPEAR ON STATE PUBLICATIONS,

passes its second reading, by electronic vote (95-5), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

S. J. R. 258, A JOINT RESOLUTION AUTHORIZING CONTINUATION OF THE JOINT SPECIAL COMMITTEE TO REVIEW THE DEPARTMENT OF TRANSPORTATION, passes its second reading, by electronic vote (102-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

House Committee Substitute for S. B. 346, A BILL TO BE ENTITLED AN ACT TO PERMIT ACTIVE MEMBERS OF THE ARMED SERVICES AND THEIR DEPENDENTS TO BE ELIGIBLE FOR IN-STATE TUITION AT STATE COMMUNITY COLLEGES, TECHNICAL INSTITUTIONS AND THE CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA.

On motion of Representative Lancaster, the bill is re-referred to the Committee on Appropriations.

House Committee Substitute for S. B. 433, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE GUARDIAN AD LITEM APPOINTED FOR A JUVENILE ALLEGED ABUSED OR NEGLECTED MAY PETITION FOR TERMINATION OF PARENTAL RIGHTS, passes its second reading, by electronic vote (98-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

Committee Substitute No. 2 for H. B. 491, A BILL TO BE ENTITLED AN ACT TO CLASSIFY MINOR TRAFFIC OFFENSES AS INFRACTIONS AND TO PROVIDE A PROCEDURE FOR THE DISPOSITION OF SUCH INFRACTIONS BY THE COURTS.

Representative Helms offers Amendment No. 1 which is adopted.

On motion of Representative Hunter, the bill is ordered engrossed and re-referred to the Committee on Appropriations.

Committee Substitute for H. B. 376, A BILL TO BE ENTITLED AN ACT RELATING TO THE DISPOSITION OF ANIMALS BY ANIMAL SHELTERS AND POUNDS.

On motion of Representative Stamey, the House concurs in the Senate amendment and the bill is ordered enrolled.

Committee Substitute No. 2 for H. B. 933, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALTERATION OF A MARRIAGE LICENSE WHEN A PARTY TO THE MARRIAGE LAWFULLY CHANGES HIS OR HER NAME.

On motion of Representative Blue, the House does not concur in the Senate amendment and a conference committee is requested.

The Speaker appoints as conferees on the part of the House, Representatives Blue, Chairman; Lancaster, and Ballance and the Senate is so notified by Special Message.

H. B. 1458, A BILL TO BE ENTITLED AN ACT TO ALLOW FORSYTH COUNTY

TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Barbee, Beall, Beam, Blue, Bowen, Brannan, Brennan, Burnley, Chapin, Childress, Church, Clark, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Easterling, Economos, Bob Etheridge, Bruce Ethridge, Foster, Fussell, Greenwood, Grimsley, Hauser, Hayden, Helms, Hudson, C. Hughes, Hunt, Hunter, Huskins, Jarrell, Keesee, Kennedy, Lancaster, Lutz, McAlister, Matthews, Mauney, Payne, Pool, Pulley, Quinn, Rhodes, Seymour, Sparrow, Spoon, Stamey, Tennille, Thomas, Tyndall, and Womble — 57.

Voting in the negative: Representatives Brawley, Brown, Brubaker, Cochrane, J. Hughes, Jones, Jordan, Lambeth, Ligon, Lilley, Poovey, Robinson, Spaulding, Varner, and C. Woodard — 15.

Excused absences: Representatives Bumgardner, Diamont, James, Miller, Musselwhite, and Roberts — 6.

House Committee Substitute for Committee Substitute for S. B. 165, A BILL TO BE ENTITLED AN ACT TO CREATE THE FELONY OFFENSES OF CHILD ABUSE, USE OF A CHILD IN A SEXUAL PERFORMANCE, AND PROMOTING A SEXUAL PERFORMANCE BY A CHILD.

On motion of Representative Hackney, consideration of the bill is postponed until July 20, 1983.

H. B. 47, A BILL TO BE ENTITLED AN ACT CONCERNING USE OF SCHOOL BUSES BY SENIOR CITIZENS GROUPS.

Representative DeVane moves, seconded by Representative Wright, that the bill do lie upon the table and this motion fails for lack of a majority vote by electronic vote (48-48).

Representative Economos calls the previous question on the passage of the bill and the call is sustained.

The bill, as amended, passes its second reading by electronic vote (57-49).

Representative Wright objects to the third reading. The bill remains on the Calendar.

On motion of Representative Quinn, the rules are suspended and S. B. 461, A BILL TO BE ENTITLED AN ACT TO EXEMPT NEWSPAPER ADVERTISING SUPPLEMENTS FROM THE NORTH CAROLINA SALES TAX, is withdrawn from the Committee on Finance and is placed on today's Calendar.

S. B. 472, A BILL TO BE ENTITLED AN ACT TO EXTEND THIRTY-YEAR UNREDUCED RETIREMENT BENEFITS TO TEACHERS AND STATE EMPLOYEES WHO RETIRED PRIOR TO JULY 1, 1973, AND WHO CONTRIBUTED TO THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM FOR THIRTY OR MORE YEARS.

Representative Tyndall calls the previous question on the passage of the bill and the call is sustained.

The bill passes its second reading by electronic vote (92-5).

Representative Bob Etheridge objects to the third reading. The bill remains on the Calendar.

S. B. 461, A BILL TO BE ENTITLED AN ACT TO EXEMPT NEWSPAPER ADVERTISING SUPPLEMENTS FROM THE NORTH CAROLINA SALES TAX.

Representatives Adams, Church, and Huskins request that they be excused from voting on this bill under Rule 24.1A and their requests are granted.

The bill passes its second reading, by electronic vote (95-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

SPECIAL MESSAGES FROM THE SENATE

The following special messages are received from the Senate:

Senate Committee Substitute No. 3 for H. B. 110, A BIL TO BE ENTITLED AN ACT TO AUTHORIZE THE LEGISLATIVE COMMITTEE ON OCCUPATIONAL AND PROFESSIONAL LICENSURE TO STUDY THE NEED FOR NEW LICENSING LAWS AND PROGRAMS ACCORDING TO CRITERIA AND PROCEDURES SPECIFIED HEREIN, is returned for concurrence in Senate committee substitute and is referred to the Committee on Rules and Operation of the House.

Senate Committee Substitute No. 2 for H. B. 177, A BILL TO BE ENTITLED AN ACT PROVIDING COMPENSATION FOR INNOCENT VICTIMS OF CRIME, is returned for concurrence in Senate Committee Substitute No. 2.

On motion of Representative Watkins, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Watkins, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

Senate Committee Substitute for H. B. 368, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 97 OF THE GENERAL STATUTES TO DEFINE INJURY BY ACCIDENT FOR WORKERS' COMPENSATION, is returned for concurrence in Senate committee substitute.

On motion of Representative Watkins, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Clark, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

Senate Committee Substitute for H. B. 543, A BILL TO BE ENTITLED AN ACT TO PERMIT THE ISSUANCE OF A CERTIFICATE OF NEED FOR NURSING HOMES IN QUALIFYING COUNTIES THAT DO NOT HAVE NURSING HOMES, is returned for concurrence in Senate committee substitute.

On motion of Representative Watkins, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representatives Huskins, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

Senate Committee Substitute No. 2 for House Committee Substitute for H. B. 583, A BILL TO BE ENTITLED AN ACT TO PROVIDE TIME TO STUDY THE NEED FOR NEW INTERMEDIATE CARE FACILITY BEDS FOR THE MENTALLY RETARDED, is returned for concurrence in Senate Committee Substitute No. 2.

On motion of Representative Watkins, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Fenner, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

Senate Committee Substitute for H. B. 932, A BILL TO BE ENTITLED AN ACT TO PROVIDE COURT-ORDERED PARENT PARTICIPATION IN TREATMENT IN CERTAIN JUVENILE CASES, is returned for concurrence in Senate committee substitute.

On motion of Representative Watkins, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Blue, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

Senate Committee Substitute for H. B. 1050, A BILL TO BE ENTITLED AN ACT CREATING A COMMITTEE FOR A COMPREHENSIVE STUDY OF THE PROPERTY TAX SYSTEM IN NORTH CAROLINA, is returned for concurrence in Senate committee substitute.

On motion of Representative Watkins, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative McAlister, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

Senate Committee Substitute for H. B. 1177, A BILL TO BE ENTITLED AN ACT TO REQUIRE THE DEPARTMENT OF ADMINISTRATION TO PUBLISH A NORTH CAROLINA PURCHASE REGISTRY, is returned for concurrence in Senate committee substitute.

On motion of Representative Watkins, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Nesbitt, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

Senate Committee Substitute for H. B. 1196, A BILL TO BE ENTITLED AN ACT TO PLACE THE PRESIDENT OF THE NORTH CAROLINA SOCIETY OF FIRE INSTRUCTORS AND THE PRESIDENT OF THE NORTH CAROLINA ASSOCIATION OF FIRE MARSHALLS ON THE STATE FIRE COMMISSION, is returned for concurrence in Senate committee substitute.

On motion of Representative Watkins, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Anderson, the House concurs in the Senate committee substitute, which changes the title, and the bill is ordered enrolled.

Senate Committee Substitute for H. B. 1318, A BILL TO BE ENTITLED AN ACT TO AMEND THE MEMBERSHIP COMPOSITION OF THE GOVERNOR'S WASTE MANAGEMENT BOARD, is returned for concurrence in Senate committee substitute.

On motion of Representative Watkins, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative B. Woodard, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

Senate Committee Substitute for H. B. 489, A BILL TO BE ENTITLED AN ACT TO DEFINE THE CONDITIONS UNDER WHICH CERTAIN BINGO GAMES AND RAFFLES ARE LAWFUL, is returned for concurrence in Senate committee substitute.

On motion of Representative Bruce Ethridge, the House does not concur in the Senate committee substitute and a conference committee is requested.

The Speaker appoints as conferees on the part of the House, Representatives Bruce Ethridge, Chairman; Lancaster, Hackney, and Payne and the Senate is so notified by Special Message.

H. B. 1465, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE CERTAIN COUNTIES AND CITIES TO REGULATE ABANDONED, JUNKED VEHICLES FOR AESTHETIC PURPOSES, is returned for concurrence in Senate amendment.

On motion of Representative Wright, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Wright, the House concurs in the Senate amendment and the bill is ordered enrolled.

Senate Committee Substitute for House Committee Substitute for H. B. 559, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF LANDFILLING FOR CERTAIN CLASSES OF HAZARDOUS WASTES AND OTHER SOLID WASTES, is returned for concurrence in Senate committee substitute.

On motion of Representative Clark, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Clark, the House does not concur in the Senate committee substitute and a conference committee is requested.

The Speaker appoints as conferees on the part of the House, Representatives Clark, Chairman; Hackney, Mavretic, Pulley, and Hightower and the Senate is so notified by Special Message.

H. B. 478, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DIVISION OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES OF THE DEPARTMENT OF HUMAN RESOURCES FOR THE PURPOSE OF INCREASING ADULT DEVELOPMENTAL ACTIVITY PROGRAMS' MONTHLY SUBSIDY, is returned for concurrence in Senate amendment.

On motion of Representative Greenwood, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Greenwood, the House concurs in the Senate amendment and the bill is ordered enrolled.

H. B. 1329, A BILL TO BE ENTITLED AN ACT TO INCREASE THE RATE OF SUPPORT IN SPECIALIZED COMMUNITY RESIDENTIAL CENTERS SERVING MENTALLY RETARDED CHILDREN, is returned for concurrence in Senate amendment.

On motion of Representative Bruce Ethridge, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Bruce Ethridge, the House concurs in the Senate amendment and the bill is ordered enrolled.

Committee Substitute for H. B. 33, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE ADMINISTRATIVE OFFICE OF THE COURTS, is returned for concurrence in Senate amendment.

On motion of Representative Watkins, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Watkins, the House concurs in the Senate amendment and the bill is ordered enrolled.

Committee Substitute for S. B. 59, A BILL TO BE ENTITLED AN ACT TO INCREASE THE MEMBERSHIP OF THE COMMISSION ON CHILDREN WITH SPECIAL NEEDS, is read the first time.

On motion of Representative Watkins, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading, by electronic vote (95-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for S. B. 116, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE PURPOSE OF IMPLEMENTING H. B. 124, INVOLUNTARY OUTPATIENT COMMITMENT, is read the first time.

On motion of Representative Watkins, the rules are suspended, and the bill is placed before the House for immediate consideration.

The bill passes its second reading, by electronic vote (91-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute No. 2 for S. B. 146, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE NORTH CAROLINA INCOME TAX REFUND CHECKOFF PROGRAM FOR THE MANAGEMENT OF NONGAME AND ENDANGERED SPECIES, is read the first time.

On motion of Representative Watkins, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading, by electronic vote (97-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 247, A BILL TO BE ENTITLED AN ACT TO CHANGE THE EMPLOYMENT STATUS OF BLIND PERSONS LICENSED BY THE STATE AND WORKING AS RANDOLPH-SHEPPARD VENDORS UNDER CONTRACT WITH THE DEPARTMENT OF HUMAN RESOURCES, is read the first time.

On motion of Representative Watkins, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading, by electronic vote (102-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for S. B. 291, A BILL TO BE ENTITLED AN ACT RELATING TO THE PREVENTION OF CHILD ABUSE AND NEGLECT AND ESTABLISHING A CHILDREN'S TRUST FUND FOR THAT PURPOSE, is read the first time.

On motion of Representative Watkins, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannan, Brennan, Brown, Chapin, Childress, Church, Clark, Coble, Colton, J. W. Crawford, Creecy, DeVane, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Foster, Fussell, Gentry, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Helms, Holt, Hudson, C. Hughes, Hunt, Huskins, Jeralds, Jones, Jordan, Kennedy, Lambeth, Lancaster, Lilley, Locks, Lutz,. McAlister, McDowell, Matthews, Mavretic, Murphy, Nash, Nesbitt, Payne, Pool, Pulley, Quinn, Rhodes, Robinson, Sparrow, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Watkins, Womble, B. Woodard, C. Woodard, and Wright — 84.

Voting in the negative: Representatives Allran, Brawley, Brubaker, Burnley, Cochrane, N. J. Crawford, Fletcher, Holmes, J. Hughes, Jarrell, Keesee, Lacey, Lee, Ligon, Owens, Poovey, Redding, Seymour, and Wicker — 19.

Excused absences: Representatives Bumgardner, Diamont, James, Mauney, Miller, Musselwhite, and Roberts — 7.

Committee Substitute for S. B. 370, A BILL TO BE ENTITLED AN ACT TO PROVIDE FUNDS FOR THE PERINATAL PROGRAM, is read the first time.

On motion of Representative Watkins, the rules are suspended, and the bill is placed before the House for immediate consideration.

The bill passes its second reading, by electronic vote, (101-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for S. B. 419, A BILL TO BE ENTITLED AN ACT REGARDING REVERSION OF FUNDS APPROPRIATED FOR A STUDY OF THE WHITE OAK RIVER FOR FISCAL YEAR 1981-82 AND 1982-83, is read the first time.

On motion of Representative Watkins, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading, by electronic vote (105-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for S. B. 437, A BILL TO BE ENTITLED AN ACT TO PROVIDE INCENTIVE PAY FOR STATE EMPLOYEES FOR GAINS IN ECONOMY AND EFFICIENCY IN THE RENDERING OF GOVERNMENTAL SERVICES, is read the first time.

On motion of Representative Watkins, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading, by electronic vote (105-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for S. B. 458, A BILL TO BE ENTITLED AN ACT TO ENABLE ALL PUBLIC SCHOOL EMPLOYEES TO EARN AND ACCUMULATE ANNUAL VACATION LEAVE AT THE SAME RATE AS THAT PROVIDED FOR STATE EMPLOYEES, is read the first time.

On motion of Representative Watkins, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading, by electronic vote (104-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute No. 2 for S. B. 495, A BILL TO BE ENTITLED AN ACT TO MAKE INTERSTATE TRANSFERS OF PRISONERS MORE OPEN TO PUBLIC SCRUTINY, is read the first time.

On motion of Representative Watkins, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading, by electronic vote (102-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for S. B. 518, A BILL TO BE ENTITLED AN ACT TO CREATE THE LEGISLATIVE COMMISSION ON MEDICAL COST CONTAINMENT, is read the first time.

On motion of Representative Watkins, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading, by electronic vote (96-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for S. B. 552, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE STATE ADULT DAY-CARE PROGRAM, is read the first time.

On motion of Representative Watkins, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading, by electronic vote (94-9), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Subsitute for S. B. 554, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF JUSTICE TO PROVIDE FOR IMPLEMENTATION OF THE RADAR ACT, is read the first time.

On motion of Representative Watkins, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading, by electronic vote (103-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for S. B. 570, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A REVIEW OF THE STATE'S DISABILITY DETERMINATION SERVICES, is read the first time.

On motion of Representative Watkins, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading, by electronic vote (98-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for S. B. 601, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR "SIGNAL 25 COMMUNICATIONS" FOR THE HIGHWAY PATROL, is read the first time.

On motion of Representative Watkins, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading, by electronic vote (103-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Committee Substitute for S. B. 688, A BILL TO BE ENTITLED AN ACT URGING THE SECOND SESSION OF THE 1983 GENERAL ASSEMBLY TO CONSIDER ADOPTING AN UNREDUCED RETIREMENT ALLOWANCE FOR TEACHERS, STATE EMPLOYEES AND LAW ENFORCEMENT OFFICERS WITH TWENTY-EIGHT YEARS OF SERVICE, is read the first time.

On motion of Representative Watkins, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading, by electronic vote (98-7), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 19, 1983

Mr. Speaker:

Pursuant to your message that the House of Representatives fails to concur in the Senate Committee Substitute for House Committee Substitute for H. B. 489, A BILL TO BE ENTITLED AN ACT TO DEFINE THE CONDITIONS UNDER WHICH CERTAIN BINGO GAMES AND RAFFLES ARE LAWFUL, and requests conferees, the President appoints Senators Lawing, Chairman; Jenkins, Hancock, Swain, and Duncan

on the part of the Senate to confer with a like committee on the part of the House to the end that the differences between the two Bodies may be resolved.

Respectfully,
S/ Sylvia Fink
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

Senate Chamber
July 19, 1983

Mr. Speaker:

Pursuant to your message that the House of Representatives fails to concur in the Senate amendments to Committee Substitute No. 2 for H. B. 933, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALTERATION OF A MARRIAGE LICENSE WHEN A PARTY TO THE MARRIAGE LAWFULLY CHANGES HIS OR HER NAME, and requests conferees, the President appoints Senators Swain, Jenkins, and Edwards of Caldwell on the part of the Senate to confer with a like committee on the part of the House to the end that the differences between the two bodies may be resolved.

Respectfully,
S/ Sylvia Fink
Principal Clerk

MESSAGES FROM THE SENATE

The following are received from the Senate:

S. J. R. 693, A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE 1983 GENERAL ASSEMBLY TO RECONVENE IN 1984, AND LIMITING THE SUBJECTS THAT MAY BE CONSIDERED IN THAT SESSION, is read the first time and is referred to the Committee on Rules and Operation of the House.

INTRODUCTION OF BILLS AND RESOLUTIONS

On motion of Representative Payne, the rules are suspended and the following is read the first time.

By Representative Payne:

H. B. 1468, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE PROCEDURE FOR FILING TEMPORARY RULES.

On motion of Representative Payne, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading, by electronic vote (90-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

On motion of Representative Barbee, the rules are suspended and the following is read the first time.

By Representative Barbee:

H. B. 1469, A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO

VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

On motion of Representative Barbee, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading, by electronic vote (95-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

On motion of Representative Payne, the rules are suspended and the following is read the first time:

By Representative Payne:

H. B. 1471, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 504 OF THE 1983 SESSION LAWS, DEALING WITH WILMINGTON'S FIREMEN'S PENSIONS, TO MAKE A TECHNICAL CORRECTION, is referred to the Committee on Pensions and Retirement.

On motion of Representative Nesbitt, House Committee Substitute for S. B. 165, A BILL TO BE ENTITLED AN ACT TO CREATE THE FELONY OFFENSES OF CHILD ABUSE, USE OF A CHILD IN A SEXUAL PERFORMANCE, AND PROMOTING A SEXUAL PERFORMANCE BY A CHILD, is withdrawn from the Calendar for July 20, 1983 and placed before the House for immediate consideration.

Representative Nesbitt offers Amendment No. 2 which is adopted by electronic vote (92-2).

The bill passes its third reading, by electronic vote (98-0), and is ordered sent to the Senate for concurrence in House committee substitute, without engrossment, by Special Message.

Representative B. Woodard sends forth the following Conference Report and moves its adoption.

CONFERENCE REPORT

July 19, 1983

TO: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on House Committee Substitute for the Senate Committee Substitute for Senate Bill 141, A BILL TO BE ENTITLED AN ACT TO REWRITE THE PUBLIC HEALTH LAWS, wish to report as follows: The Senate concurs in the House Committee Substitute with the following amendments:

(1) on page 14, lines 5, and 6, by deleting "(e) and (h)", and by substituting "(d) and (g)";
(2) on page 21, line 5, by changing "9" to "11";
(3) on page 21, line 10, by changing "two" to "four",
(4) on page 252, lines 14 and 18, change the word "local" to "district" in both places in which it appears;
(5) on page 254, lines 21, and 22, by deleting "; provided that the Current Operations Appropriations Act of 1983 has been ratified";

(6) on page 136, line 9, by deleting the words "who travels and stays" and by adding after the word "operations," the words "and a worker's dependents who travel and stay";
(7) on page 136, line 15, by changing "10" to "13";
(8) on page 1, line 5, by adding at the end of the line the citation "130-166.21D,";
(9) on page 182, line 18, delete the letter "(a)";
(10) on page 183, lines 4 through 9, delete those lines in their entirety.

And the House concurs in the same.

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 19th day of July, 1983.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ W. Craig Lawing	S/ Barney Paul Woodard
S/ Henson P. Barnes	S/ Sam L. Beam
S/ W. Gerry Hancock, Jr.	S/ Bobby R. Etheridge
S/ Harold W. Hardison	S/ William T. Grimsley
S/ Ollie Harris	S/ Joe Hackney
S/ Marshall A. Rauch	S/ Robert C. Hunter
S/ Kenneth C. Royall, Jr.	S/ Dwight W. Quinn
S/ Robert S. Swain	S/ John W. Varner

The Conference Report is adopted, by electronic vote (99-0), and the Senate is so notified by Special Message.

Representative Quinn sends forth the following Conference Report, which is ruled to be material, and moves its adoption.

CONFERENCE REPORT

July 19, 1983

TO: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on the Senate Committee Substitute for the House Committee Substitute for House Bill 426, A BILL TO BE ENTITLED AN ACT TO INCREASE STATE SALES AND USE TAXES BY ONE-HALF PERCENT TO DISTRIBUTE THE INCREASE IN REVENUE TO COUNTIES AND CITIES FOR PUBLIC SCHOOLS, CLEAN WATER, AND OTHER CAPITAL NEEDS, AND TO AUTHORIZE VARIOUS TRANSIENT OCCUPANCY TAXES, wish to report as follows: The House concurs in the Senate Committee Substitute with the following amendments:

(1) on page 1, lines 2 through 5, by rewriting those lines to read:

"AN ACT TO AUTHORIZE COUNTIES TO LEVY ONE-HALF PERCENT SALES AND USE TAXES AND TO DESIGNATE HOW PART OF THE REVENUE FROM THESE TAXES SHALL BE USED, TO ALLOW CERTAIN CITIES TO SPEND SALES TAX REVENUE ON HOUSING, AND TO AUTHORIZE VARIOUS TRANSIENT OCCUPANCY TAXES."

(2) on page 1, line 7, through page 3, line 10, by deleting those lines and inserting in lieu thereof the following:

"Part I. Local Sales and Use Taxes.

"Sec. 1. Subchapter VIII of Chapter 105 of the General Statutes is amended by adding two new Articles to read:

'Article 40.

'Supplemental Local Government Sales and Use Taxes.

'§105-480. **Short title.** — This Article shall be known as the Supplemental Local Government Sales and use Tax Act.

'§105-481. **Purpose and intent.** — It is the purpose of this Article to afford the counties and cities of this State an opportunity to obtain an added source of revenue with which to meet their growing financial needs, and to reduce their reliance on other revenues, such as the property tax, by providing all counties of the State that are subject to this Article with authority to levy one-half percent (1/2%) sales and use taxes.

'§105-482. **Limitations.** This Article applies only to counties that levy one percent (1%) sales and use taxes under Article 39 of this Chapter or under Chapter 1096 of the 1967 Session Laws and do not levy one-half percent (1/2%) local sales and use taxes under Article 41 of this Chapter.

(§105-483. **Levy and collection of additional taxes.** — Any county subject to this Article may levy one-half percent (1/2%) local sales and use taxes in addition to any other State and local sales and use taxes levied pursuant to law. Except as provided in this Article, the adoption, levy, collection, distribution, administration, and repeal of these additional taxes shall be in accordance with Article 39 of this Chapter. In applying the provisions of Article 39 of this Chapter to this Article, references to "this Article" mean Article 40 of Chapter 105. All taxes levied pursuant to this Article shall be collected by the Secretary and may not be collected by a taxing county. The exemption for building materials in G. S. 105-468.1 does not apply to taxes levied under this Article.

"§105-484. **Form of ballot.** — (a) The form of the question to be presented on a ballot for a special election concerning the additional taxes authorized by this Article shall be: "FOR additional one-half percent (1/2%) local sales and use taxes" or "AGAINST additional one-half percent (1/2%) local sales and use taxes."

(b) The form of the question to be presented on a ballot for a special election concerning the repeal of any additional taxes levied pursuant to this Article shall be: "FOR repeal of the additional one-half percent (1/2%) local sales and use taxes" or "AGAINST repeal of the additional one-half percent (1/2%) local sales and use taxes."

'§105-485. **Retail collection bracket.** — The following bracket applies to collections by retailers in a county that levies additional sales and use taxes under this Article:

(1) No amount on sales of less than 10¢;

(2) 1¢ on sales of 10¢ to 25¢;

(3) 2¢ on sales of 26¢ to 53¢;

(4) 3¢ on sales of 54¢ to 75¢;

(5) 4¢ on sales of 76¢ to 95¢;

(6) 5¢ on sales of 96¢ to $1.22; and

(7) Sales of over $1.22 — straight four and one-half percent (4-1/2%) with major fractions governing.

'§105-486. **Distribution and use of additional taxes.** — The Secretary shall, on a quarterly basis, distribute the net proceeds of the additional one-half percent (1/2%) sales and use taxes levied under this Article to the taxing counties on a per capita basis according to the most recent annual population estimates certified to the Secretary by the State Budget Officer. The amount distributed to a taxing county shall then be divided among the county and its municipalities in accordance with the method by which the one

percent (1%) sales and use taxes levied in that county pursuant to Article 39 of this Chapter or Chapter 1096 of the 1967 Session Laws are distributed. If any taxes levied under this Article by a county have not been collected in that county for a full quarter because of the levy or repeal of the taxes, the Secretary shall distribute a pro rata share to that county for that quarter based on the number of months the taxes were collected in that county during the quarter.

'§105-487. **Use of additional tax revenue by counties and municipalities.** — (a) Except as provided in subsection (c), forty percent (40%) of the revenue received by a county from additional one-half percent (1/2%) sales and use taxes levied under this Article during the first five fiscal years in which the additional taxes are in effect in the county and thirty percent (30%) of the revenue received by a county from these taxes in the second five fiscal years in which the taxes are in effect in the county may be used by the county only for public school capital outlay purposes or to retire any indebtedness incurred by the county for these purposes.

(b) Except as provided in subsection (c), forty percent (40%) of the revenue received by a municipality from additional one-half percent (1/2%) sales and use taxes levied under this Article during the first five fiscal years in which the additional taxes are in effect in the municipality and thirty percent (30%) of the revenue received by a municipality from these taxes in the second five fiscal years in which the taxes are in effect in the municipality may be used by the municipality only for water and sewage capital outlay purposes or to retire any indebtedness incurred by the municipality for these purposes.

(c) The Local Government Commission may, upon petition by a county or municipality, authorize a county or municipality to use part or all its tax revenue, otherwise required by subsection (a) or (b) to be used for public schools or water and sewage capital needs for any lawful purpose. The petition shall be in the form prescribed by the Local Government Commission and shall demonstrate that the county or municipality can provide for its public school or water and sewage capital needs without restricting the use of part or all of the designated amount of the additional one-half percent (1/2%) sales and use tax revenue for these purposes.

In making its decision, the Local Government Commission may consider information from sources other than the petition. The Commission shall issue a written decision on each petition stating the findings of the Commission concerning the public school or water and sewage capital needs of the petitioning county or municipality and the percentage of revenue otherwise restricted by subsection (a) or (b) that may be used by the petitioning county or municipality for any lawful purpose.

Decisions of the Commission allowing counties or municipalities to use a percentage of their tax revenue that would otherwise be restricted under subsection (a) or (b) for any lawful purpose are final and shall continue in effect until the restrictions imposed by those subsections expire. A county or municipality whose petition is denied, in whole or in part, by the Commission may subsequently submit a new petition to the Commission.

(d) For purposes of determining the number of fiscal years in which one-half percent (1/2%) sales and use taxes levied under this Article have been in effect in a county or municipality, these taxes are considered to be in effect only from the effective date of the levy of these taxes and are considered to be in effect for a full fiscal year during the first year in which these taxes were in effect, regardless of the number of months in that year in which the taxes were actually in effect.

(e) A county or municipality may expend part or all of the revenue restricted for public school or water and sewage capital needs pursuant to subsections (a) and (b) in the fiscal year in which the revenue is received, or the county or municipality may place part or all of this revenue in a capital reserve fund and shall specifically identify this revenue in accordance with Chapter 159 of the General Statutes.

'Article 41.

'Alternative Local Government Sales and Use Taxes.

'§105-488. **Short title.** — This Article shall be known as the "Alternative Local Government Sales and Use Tax Act."

'§105-489. **Limitations.** — This Article applies only to counties that do not levy one percent (1%) sales and use taxes under Article 39 of this Chapter or under Chapter 1096 of the 1967 Session Laws.

'§105-490. **Levy and collection of taxes.** — Any county subject to this Article may levy one-half percent (1/2%) local sales and use taxes pursuant to the procedures established in G. S. 105-465 and G. S. 105-466 for the levy of one percent (1%) sales and use taxes authorized by Article 39 of this Chapter. Except as provided in this Article, the provisions of Article 39 of this Chapter apply to any one-half percent (1/2%) local sales and use taxes levied under this Article. In applying the provisions of Article 39 of this Chapter to this Article, references to "this Article" mean Article 41 of Chapter 105. All taxes levied pursuant to this Article shall be collected by the Secretary and may not be collected by a taxing county. The exemption for building materials in G. S. 105-468.1 does not apply to taxes levied under this Article.

'§105-491. **Form of ballot.** — (a) The form of the question to be presented on a ballot for a special election concerning the taxes authorized by this Article shall be: "FOR one-half percent (1/2%) local sales and use taxes" or "AGAINST one-half percent (1/2%) local sales and use taxes."

(b) The form of the question to be presented on a ballot for a special election concerning the repeal of any taxes levied pursuant to this Article shall be: "FOR repeal of the one-half percent (1/2%) local sales and use taxes" or "AGAINST repeal of the one-half percent (1/2%) local sales and use taxes."

'§105-492. **Retail collection bracket.** — The following bracket applies to collections by retailers in a county that levies sales and use taxes under this article:

(1) No amount on sales of less than 10¢;

(2) 1¢ on sales of 10¢ to 30¢;

(3) 2¢ on sales of 31¢ to 65¢;

(4) 3¢ on sales of 66¢ to 95¢;

(5) 4¢ on sales of 96¢ to $1.28; and

(6) Sales of over $1.28 — straight three and one-half percent (3-1/2%) with major fractions governing.

'§105-493. **Distribution and use of taxes.** — The Secretary shall, on a quarterly basis, distribute the net proceeds of any one-half percent (1/2%) sales and use taxes levied under this Article in accordance with G. S. 105-486. For purposes of the distribution under G. S. 105-486, a county that levies one-half pecent (1/2%) sales and use taxes under this Article is considered a taxing county under that section. To make the distribution required by G. S. 105-486 and this section, the Secretary shall add the net proceeds of local sales and use taxes levied under Article 40 of this Chapter and under this Article, and shall then distribute this amount to the taxing counties on a per capita basis as provided in G. S. 105-486. The amount distributed to a county that levies one-half percent (1/2%) sales and use taxes under this Article shall be divided among the county and its municipalities on either a per capita or an ad valorem tax basis, as designated by the board of county commissioners in a resolution adopted pursuant to G. S. 105-472. If any taxes levied under this Article by a county have not been collected in that county for a full quarter because of the levy or repeal of the taxes, the Secretary shall distribute a pro rata share to that county for that quarter based on the number of months the taxes were collected in that county during the quarter.

'§105-494. **Use of additional tax revenue by counties and municipalities.** — Sales and use tax revenue received by a county or municipality from one-half percent (1/2%)

sales and use taxes levied under this Article are subject to the restrictions imposed by G. S. 105-487 on revenue received by counties and municipalities from one-half percent (1/2%) sales and use taxes levied under that Article.'

"Sec. 2. G. S. 159-6 is amended by adding a new subsection to read:

'(e) In addition to any other fees authorized by this section, the Commission may charge and collect fees for services rendered and expenses incurred in reviewing and processing petitions of counties or cities concerning use of local sales and use tax revenue in accordance with G. S. 105-487(c). ' ";

(3) on page 3, lines 12 and 18, by changing the numbers "9" and "10" to the numbers "3" and "4" respectively;

(4) on page 3, line 17, through page 8, line 2, by rewriting those lines to read:

"Part III. Sales tax Revenue for Housing.

"Sec. 5. G. S. 160A-456(e) is rewritten to read:

'(e) A city council of a city with a population of at least seventy-five thousand may expend up to twenty percent (20%) of its annual sales and use tax revenue derived from one-half percent (1/2%) local sales and use taxes levied pursuant to Article 40 or 41 of Chapter 105 of the General Statutes for housing projects undertaken pursuant to Chapter 157 of the General Statutes, except that none of this revenue may be expended for rent subsidies. Otherwise, a city council of any city may not expend State or local tax revenue pursuant to this section for a purpose not expressly authorized by G. S. 160A-209 unless the issue is first submitted to a vote of the people as provided therein. The most recent annual estimates of population certified by the State Budget Officer shall be used to determine the population of a city under this subsection.' ";

(5) on page 8, line 4, through page 35, line 18, by renumbering the succeeding sections accordingly; and

(6) on page 35, lines 21-27, by rewriting those lines to read:

"Sec. 46. This act is effective upon ratification."; and the Senate concurs in the same.

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 19th day of July, 1983.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ MARSHALL A. RAUCH	S/ DWIGHT W. QUINN
S/ CONRAD R. DUNCAN	S/ EDWARD C. BOWEN
S/ ELTON EDWARDS	S/ ROBERT C. HUNTER
S/ WANDA HUNT	S/ SIDNEY A. LOCKS
S/ CECIL R. JENKINS, JR.	S/ WENDELL H. MURPHY
S/ WILLIAM W. STATON	S/ TOM B. RABON, JR.
S/ ROBERT B. WARREN	S/ WILLIAM T. WATKINS

The Conference Report is received, read the first time, and placed on the Calendar for July 20, 1983 for its second roll-call reading.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Hunt for the Committee on Rules and Operation of the House:

H. B. 1456, A BILL TO BE ENTITLED AN ACT TO REQUIRE CERTAIN LICENSING BOARDS TO REPORT ON STANDARDS USED IN EVALUATING APPLICANTS LICENSED IN OTHER STATES, with a favorable report, as amended.

On motion of Representative Hunt, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Gillam, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (91-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate, without engrossment, by Special Message.

S. B. 416, A BILL TO BE ENTITLED AN ACT TO REMOVE THE SALES TAX ON DEATH CERTIFICATES, with a favorable report.

On motion of Representative Hunt, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading, by electronic vote (99-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 569, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT THE RIGHT TO FILE OR CLAIM CERTAIN STATUTORY LIENS ON REAL PROPERTY MAY NOT BE WAIVED, with a favorable report.

On motion of Representative Hunt, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading, by electronic vote (98-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 633, A BILL TO BE ENTITLED AN ACT TO MODIFY THE JUVENILE ADMISSION LAWS, with a favorable report.

On motion of Representative Hunt, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading, by electronic vote (100-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 685, A BILL TO BE ENTITLED AN ACT CONCERNING THE TRANSPORTATION OF FARM PRODUCTS, with a favorable report.

On motion of Representative Hunt, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading, by electronic vote (95-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Senate Committee Substitute for H. B. 524, A BILL TO BE ENTITLED AN ACT TO REPEAL ALL ADMINISTRATIVE RULES ADOPTED UNDER THE A. P. A. AND REQUIRE THEIR ADOPTION BY THE GENERAL ASSEMBLY, with recommendation that the House concur.

On motion of Representative Hunt, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Hunt, the House concurs in the Senate committee substitute, which changes the title, and the bill is ordered enrolled.

On motion of Representative Hunt, Committee Substitute for S. B. 543, A BILL TO BE ENTITLED AN ACT TO REGULATE ARCHITECTS AND ENGINEERS IN THEIR RELATIONS WITH CONTRACTORS, is withdrawn from the Committee on Rules and Operation of the House and is re-referred to the Committee on Judiciary No. 4.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 19, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the Senate adopts the report of the conferees on House Committee Substitute for Senate Committee Substitute for S. B. 141, A BILL TO BE ENTITLED AN ACT TO REWRITE THE PUBLIC HEALTH LAWS, to the end that when a similar action has been taken on the part of the House, we will order the bill enrolled.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 15, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorble Body with the information that the Senate adopts the report of the conferees on H. B. 1191, A BILL TO BE ENTITLED AN ACT TO EXEMPT PRIVATE HOMES OFFERING BED AND BREAKFAST ACCOMMODATIONS FROM THE FOOD AND LODGING REQUIREMENTS OF THE PUBLIC HEALTH LAWS AND TO AUTHORIZE THE HEALTH SERVICES COMMISSION TO ADOPT RULES BY JULY 1, 1984, to the end that when a similar action has been taken on the part of the House, you may order the bill enrolled.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

The Speaker orders the bill enrolled.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 148, AN ACT TO INCREASE THE INTEREST RATE PAID ON HIGHWAY CONDEMNATION JUDGMENTS TO CONFORM TO THE LEGAL INTEREST RATE.

H. B. 202, AN ACT TO CLARIFY THE PROVISIONS FOR CERTIFICATION OF LOCAL TAXING OFFICIALS AND TO PROVIDE A CONTINUING EDUCATION PROGRAM FOR ALL PERSONS ENGAGED IN THE APPRAISAL OF PROPERTY FOR TAXATION.

H. B. 785, AN ACT TO BE KNOWN AS THE NORTH CAROLINA TIME SHARE ACT AS RECOMMENDED BY THE GENERAL STATUTES COMMISSION.

H. B. 945, AN ACT CONCERNING THE REPORTING OF CERTAIN TRANSACTIONS IN UNITED STATES CURRENCY.

H. B. 1028, AN ACT TO ALLOW PRIVATE PEER REVIEW IN DOMICILIARY HOMES.

H. B. 1117, AN ACT TO AMEND THE NORTH CAROLINA SECURITIES ACT.

H. B. 1119, AN ACT TO AMEND THE STATUTE RELATING TO PAYMENT AND PERFORMANCE BONDS FOR PUBLIC CONTRACTS.

H. B. 1176, AN ACT TO GIVE PUBLIC SCHOOLS EQUAL PRIORITY IN BORROWING LIBRARY FILMS.

H. B. 1189, AN ACT TO REVISE PARTS OF CHAPTER 162A OF THE GENERAL STATUTES RELATING TO WATER AND SEWER AUTHORITIES.

H. B. 1201, AN ACT TO CHANGE THE ELIGIBILITY REQUIREMENTS FOR USE-VALUE CLASSIFICATION OF AGRICULTURAL LAND.

H. B. 1343, AN ACT TO PROTECT ARTISTS' RIGHTS IN ARTWORK ON CONSIGNMENT.

H. B. 1466, AN ACT REGARDING DISCOUNTS FOR PAYMENTS OF PROPERTY TAX IN CABARRUS COUNTY.

H. B. 688, AN ACT TO AMEND THE LICENSING OF DOMICILIARY HOMES FOR THE AGED AND DISABLED AND THE DOMICILIARY BILL OF RIGHTS.

H. B. 935, AN ACT TO ESTABLISH THE CRIMINAL JUSTICE INFORMATION SYSTEM AND COMPUTERIZED RECORDS STUDY COMMISSION.

H. B. 1368, AN ACT TO ALLOW FIVE ACRE HORTICULTURAL TRACTS TO QUALIFY FOR USE VALUATION.

H. B. 1415, AN ACT TO PROVIDE THAT A PERSON APPOINTED TO FILL A VACANCY IN AN ELECTED CITY OFFICE SHALL SERVE ONLY UNTIL THE NEXT CITY ELECTION.

H. B. 1420, AN ACT TO ALLOW CITIES TO LEVY PROPERTY TAXES FOR DRAINAGE PROGRAMS.

H. B. 1433, AN ACT TO AMEND THE LAW REGARDING PERSON COUNTY'S ACQUISITION OF PROPERTY BY EMINENT DOMAIN FOR AIRPORT PURPOSES.

H. B. 1443, AN ACT TO ESTABLISH THE BUTNER FIRE AND POLICE PROTECTION DISTRICT.

H. B. 1419, AN ACT TO AMEND G. S. 58-54.4 RELATING TO THE LAW PROHIBITING UNFAIR BUSINESS PRACTICES.

S. J. R. 258, A JOINT RESOLUTION AUTHORIZING CONTINUATION OF THE JOINT SPECIAL COMMITTEE TO REVIEW THE DEPARTMENT OF TRANSPORTATION.

On motion of Representative Hunt, seconded by Representative Black, the House adjourns to reconvene July 20, 1983 at 1:30 p.m.

ONE HUNDRED THIRTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, July 20, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Foster.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of July 19 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Diamont, James, Musselwhite, Roberts, and Spaulding for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Bumgardner for the Committee on Transportation:

Senate Committee Substitute for H. B. 1090, A BILL TO BE ENTITLED AN ACT TO LIMIT THE OPERATION IN NORTH CAROLINA OF TRUCKS WITH TWO TRAILERS AND INCREASED LENGTHS AND WIDTHS MANDATED BY FEDERAL LAW AND TO CONFORM THE NORTH CAROLINA LAW TO FEDERAL REQUIREMENTS, with recommendation that the House concur.

On motion of Representative Bumgardner, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Bumgardner, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

By Representative Helms for the Committee on Courts and Administration of Justice:

H. B. 51, A BILL TO BE ENTITLED AN ACT TO ADD A DISTRICT COURT JUDGE IN THE SECOND JUDICIAL DISTRICT, with an unfavorable report.

H. B. 75, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE A NEW DISTRICT COURT JUDGE IN THE TWENTY-FIRST JUDICIAL DISTRICT, with an unfavorable report.

H. B. 286, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR TRANSFER FROM MAGISTRATE'S SMALL CLAIMS COURT TO CIVIL ISSUE DISTRICT COURT, with an indefinite postponement report.

H. B. 294, A BILL TO BE ENTITLED AN ACT TO INCREASE JUROR'S PAY, with an unfavorable report.

H. B. 320, A BILL TO BE ENTITLED AN ACT TO INCREASE THE FEE FOR JURY SERVICE AND TO APPROPRIATE FUNDS FOR THAT INCREASE, with an unfavorable report.

H. B. 447, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE JURY SELECTION PROCEEDINGS TO BE CONDUCTED IN THE COUNTY OF RESIDENCE OF THE JURORS, with an unfavorable report.

H. B. 712, A BILL TO BE ENTITLED AN ACT TO PROMOTE FAIR AND EXPEDITIOUS SELECTION OF JURORS BY PLACING A MAXIMUM CEILING ON THE NUMBER OF PEREMPTORY CHALLENGES WHEN MORE THAN TWO DEFENDANTS ARE BEING TRIED TOGETHER, with an unfavorable report.

By Representative Quinn for the Committee on Finance:

H. B. 463, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE MECKLENBURG COUNTY TO LEVY A TRANSIENT OCCUPANCY TAX, with an indefinite postponement report.

H. B. 667, A BILL TO BE ENTITLED AN ACT TO ALLOW HAYWOOD COUNTY TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, with an indefinite postponement report.

H. B. 704, A BILL TO BE ENTITLED AN ACT TO ALLOW COUNTIES TO LEVY A ROOM OCCUPANCY AND TOURISM DEVELOPMENT TAX, with an indefinite postponement report.

By Representative Mavretic for the Committee on Pensions and Retirement:

H. B. 1471, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 504 OF THE 1983 SESSION LAWS, DEALING WITH WILMINGTON'S FIREMEN'S PENSIONS, TO MAKE A TECHNICAL CORRECTION, with a favorable report.

On motion of Representative Mavretic, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading, by electronic vote (84-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

SUSPENSION OF RULES TO INTRODUCE LOCAL BILL

On motion of Representative Holt, Rule 31.1 is suspended by a two-thirds majority vote in order for a local bill to be filed.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representative Fenner:

H. B. 1467, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR COMMUNITY-BASED PROGRAMS FOR THE MENTALLY RETARDED, is referred to the Committee on Appropriations.

By Representatives Slaughter, Hudson, Quinn, and Thomas:

H. B. 1470, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS TO

STANLY TECHNICAL COLLEGE FOR VARIOUS PURPOSES, is referred to the Committee on Appropriations.

On motion of Representative Holt, the rules are suspended and the following is read the first time.

By Representatives Holt and McAlister:

H. B. 1472, A BILL TO BE ENTITLED AN ACT TO ALLOW THE CITY OF REIDSVILLE TO SELL CERTAIN PROPERTY TO ELTON TRENT.

On motion of Representative Holt, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

On motion of Representative Hunt, the rules are suspended and Senate Committee Substitute for H. J. R. 1345, A JOINT RESOLUTION EXPRESSING THE INTENT OF THE GENERAL ASSEMBLY CONCERNING THE REVISION OF THE ADMINISTRATIVE PROCEDURE ACT AND RULES PROMULGATED UNDER THAT ACT, is withdrawn from the Committee on Rules and Operation of the House and placed on the Calendar for immediate consideration.

On motion of Representative Watkins, the House concurs in the Senate committee substitute, as amended, which changes the title, and the resolution is ordered enrolled.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 19, 1983

Mr. Speaker:

Pursuant to your message that the House of Representatives fails to concur in the Senate Committee Substitute for House Committee Substitute for H. B. 559, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF LANDFILLING FOR CERTAIN CLASSES OF HAZARDOUS WASTES AND OTHER SOLID WASTES, and requests conferees, the President appoints Senators O. Harris, Chairman; Rauch, Lawing, Hardison, and Jenkins on the part of the Senate to confer with a like committee on the part of the House to the end that the differences between the two Bodies may be resolved.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 20, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the Senate fails to concur in the House Committee Substitute for S. B. 165, A BILL TO BE ENTITLED AN ACT TO CREATE THE FELONY OFFENSES OF CHILD ABUSE, USE OF A CHILD IN A SEXUAL PERFORMANCE, AND PROMOTING A SEXUAL PERFORMANCE BY A CHILD, and requests conferees. The President appoints

Senators Tison, Chairman; O. Harris, E. Edwards, Winner, and Rand on the part of the Senate to confer with a like committee appointed by the House to the end that the differences arising may be adjusted.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

The Speaker appoints Representatives Helms, Nesbitt, Hackney, Payne and J. Hughes as conferees on House Committee Substitutefor S. B. 165.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

Committee Substitute for H. B. 814, A BILL TO BE ENTITLED AN ACT TO REGULATE THE PRACTICE OF MIDWIFERY, is returned for concurrence in Senate amendment.

On motion of Representative Miller, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Miller, the House concurs in the Senate amendment and the bill is ordered enrolled.

Committee Substitute No. 2 for H. B. 1122, A BILL TO BE ENTITLED AN ACT TO CREATE THE NEW TECHNOLOGY JOBS ACT, is returned for concurrence in Senate amendment.

On motion of Representative Bob Etheridge, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Bob Etheridge, the House concurs in the Senate amendment and the bill is ordered enrolled.

Committee Substitute for H. B. 1240, A BILL TO BE ENTITLED AN ACT TO PROVIDE CONFIDENTIALITY IN LEGISLATIVE COMMUNICATIONS, is returned for concurrence in Senate amendment.

On motion of Representative Miller, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Miller, the House concurs in the Senate amendment and the bill is ordered enrolled.

Committee Substitute for H. B. 1356, A BILL TO BE ENTITLED AN ACT TO CREATE THE CRIME OF ABUSING, NEGLECTING OR EXPLOITING A DISABLED ADULT, is returned for concurrence in Senate amendment.

On motion of Representative Beall, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Beall, the House concurs in the Senate amendment and the bill is ordered enrolled.

S. B. 698, A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO PUBLIC OFFICE UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE, is read the first time.

On motion of Representative Hunt, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading, by electronic vote (88-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

Senate Committee Substitute for H. B. 1142, A BILL TO BE ENTITLED AN ACT TO EXTEND THE STUDY OF THE STATE'S INTERESTS IN RAILROAD PROPERTIES, is returned for concurrence in Senate committee substitute, as amended.

On motion of Representative Watkins, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Watkins, the House concurs in the Senate committee substitute, as amended, which changes the title, and the bill is ordered enrolled.

Committee Substitute for H. B. 626, A BILL TO BE ENTITLED AN ACT RELATING TO THE GASTON COUNTY POLICE DEPARTMENT, is returned for concurrence in Senate amendment.

On motion of Representative Bumgardner, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Bumgardner, the House concurs in the Senate amendment and the bill is ordered enrolled.

Representative Bruce Ethridge sends forth the following Conference Report and moves its adoption.

CONFERENCE REPORT

July 20, 1983

TO: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on the Senate Committee Substitute for the House Committee Substitute for House Bill 489, A BILL TO BE ENTITLED AN ACT TO CLARIFY, RESTRICT AND AMEND THE LAW RELATING TO BINGO GAMES AND RAFFLES, wish to report as follows: the House concurs in the Senate Committee Substitute with the following amendment:

Strike out the entire Senate Committee Substitute and insert in lieu thereof the attached proposed conference committee substitute PCCS-8302.

The Senate concurs in the same.

Section 1. G. S. 14-289, G. S. 14-290, G. S. 14-291, G. S. 14-291.1 and G. S. 14-292 are each amended by deleting the reference to "G. S. 14-292.1", and inserting in lieu thereof "Part 2 of this Article".

Sec. 2. G. S. 14-292.1 is repealed.

Sec. 3. The existing Article 37 of Chapter 14 of the General Statutes is recodified as Part 1 of that Article and a new Part 2 is added to read:

"Part 2. Bingo and Raffles.

"§ 14-309.5. **Bingo and raffles.** — It is lawful for an exempt organization to conduct raffles and bingo games in accordance with the provisions of this Part. Any licensed exempt organization who conducts a raffle or bingo game in violation of any provision of this Part shall be guilty of a misdemeanor under G. S. 14-292 and shall be punished in

accordance with G. S. 14-3. Upon conviction such person shall not conduct a raffle or bingo game for a period of one year. It is lawful to participate in a raffle or bingo game conducted pursuant to this Part. It shall be a Class H felony for any person: (i) to operate a raffle or bingo game without a license; (ii) to operate a raffle or bingo game while license is revoked or suspended; (iii) to willfully misuse or misapply any monies received in connection with any bingo game or raffle; or (iv) to contract with or provide consulting services to any licensee. It shall not constitute a violation of any State law to advertise a raffle or bingo game conducted in accordance with this Part.

"§ 14-309.6. **Definitions.** — For purposes of this Part, the term:

(1) 'Exempt organization' means an organization that has been in continuous existence in the county of operation of the raffle or bingo game for at least one year and that is exempt from taxation under Section 501(c) (3), 501(c)(4), 501(c)(8), 501(c)(10), 501(c)(19), or 501(d) of the Internal Revenue Code and is exempt under similar provisions of the General Statutes as a bona fide nonprofit charitable, civic, religious, fraternal, patriotic or veterans' organization or as a nonprofit volunteer fire department, or as a nonprofit volunteer rescue squad or a bona fide homeowners' or property owners' association. (If the organization has local branches or chapters, the term 'exempt organization' means the local branch or chapter operating the raffle or bingo game);

(2) 'Bingo game' means a specific game of chance played with individual cards having numbered squares ranging from one to 75, in which prizes are awarded on the basis of designated numbers on such cards conforming to a predetermined pattern of numbers (but shall not include 'instant bingo' which is a game of chance played by the selection of one or more prepackaged cards, with winners determined by the appearance of a pre-selected designation on the card);

(3) 'Raffle' means a lottery in which the prize is won by random drawing of the name or number of one or more persons purchasing chances, and which is held in accordance with the provisions of G. S. 14-309.8 and G. S. 14-309.9;

(4) 'Local law enforcement agency' means for any raffle or bingo game conducted outside the corporate limits of a municipality or inside the corporate limits of a municipality having no municipal police force:

a. The county police force; or

b. The county sheriff's office in a county with no county police force;

(5) 'Local law enforcement agency' means the municipal police for any raffle or bingo game conducted within the corporate limits of a municipality having a police force;

(6) 'Beach bingo games' means bingo games which have prizes of ten dollars ($10.00) or less or merchandise that is not redeemable for cash and that has a value of ten dollars ($10.00) or less; and

(7) 'Licensed exempt organization' means an exempt organization which possesses a currently valid license.

"§ 14-309.7. **Licensing procedures.** — (a) Any exempt organization desiring to obtain a license to operate bingo games or raffles shall make application to the Department of Revenue on forms prescribed by the Department. Such license shall expire one year after the granting of the license. This license may be renewed from year to year. A copy of the application and license shall be furnished to the local law enforcement agency in the county or municipality in which the licensee intends to operate before bingo is conducted by the licensee.

(b) Each application and renewal application shall contain the following information:

(1) The name and address of the applicant and if the applicant is a corporation, association or other similar legal entity, the name and home address of each of the officers of the organization as well as the name and address of the directors, or other persons similarly situated, of the organization.

(2) The name and home address of each of the members of the special committee.

(3) A copy of the application for recognition of exemptions and a determination letter from the Internal Revenue Service and the Department of Revenue that indicates that the organization is an exempt organization and stating the section under which that exemption is granted; except that if the organization is a State or local branch, lodge, post, or chapter of a national organization, a copy of the determination letter of the national organization satisfies this requirement.

(4) The location at which the applicant will conduct the bingo games or raffles. If the premises are leased, a copy of the lease or rental agreement.

(c) In order for an exempt organization to have a member familiar with the operation of bingo present on the premises at all times when bingo is being played and for this member to be responsible for the receiving, reporting and depositing of all revenues received, the exempt organization may pay one member for conducting a bingo game. Such pay shall be on an hourly basis only for the time bingo is actually being played and shall not exceed one and one-half times the existing minimum wage in North Carolina. The member paid under this provision shall be a member in good standing of the exempt organization for at least one year and shall not be the lessor or an employee or agent of the lessor. No other person may be compensated for conducting a raffle or bingo game. An exempt organization shall not contract with any person for the purpose of conducting a raffle or bingo game. Except as provided in subsection (e) of this section, an exempt organization may hold a bingo game only in or on property owned (either legally or equitably) by the organization or leased by the organization for a period of not less than one year and actually occupied and used by that organization on a regular basis for purposes other than bingo for at least six months before the game; and all equipment used by the exempt organization in conducting the bingo game must be owned by the organization. Unless the exempt organization leases the property in accordance with this subsection, an exempt organization may conduct a bingo game only in or on property that is exempt from property taxes levied under Subchapter II of Chapter 105 of the General Statutes, or that is classified and not subject to any property taxes levied under Subchapter II of Chapter 105 of the General Statutes. It shall be unlawful for any person to operate beach bingo games at a location which is being used by any licensed exempt organization for the purpose of conducting bingo games.

(d) Conduct of a bingo game or raffle under this Part on such property shall not operate to defeat an exemption or classification under Subchapter II of Chapter 105 of the General Statutes.

(e) An exempt organization desiring to conduct an annual or semi-annual bingo game may apply to the Department of Revenue for a single occasion permit. The Department of Revenue may require such information as is reasonable and necessary to determine that the bingo game is conducted in accordance with the provisions of this Part but may not require more information than previously specified in this section for application of a regular license. The application shall be made to the Department on prescribed forms at least 30 days prior to the scheduled date of the bingo game. In lieu of the reporting requirements of G. S. 14-309.11(b) the exempt organization shall file with the licensing agency and local law enforcement a report on prescribed forms no later than 30 days following the conduct of the bingo game for which the permit was obtained. Such report may require such information as is reasonable and necessary to determine that the bingo game was conducted in accordance with the provisions of this Part but may not require more information than specified in G. S. 14-309.11(b). Any licensed exempt organization may donate or loan its equipment or use of its premises to an exempt organization which has secured a single occasion permit provided such arrangement is disclosed in the single occasion permit application and is approved by the Department of Revenue. Except as stated above, all provisions of this Part shall apply to any exempt organization operating a bingo game under this provision.

"§ 14-309.8. **Limit on sessions.** — The number of sessions of bingo conducted or

sponsored by an exempt organization shall be limited to two sessions per week and such sessions must not exceed a period of five hours each per session. No two sessions of bingo shall be held within a 48-hour period of time. No more than two sessions of bingo shall be operated or conducted in any one building, hall or structure during any one calendar week. Raffles shall be limited to one per month per organization per county. This section shall not apply to bingo games or raffles conducted at a fair or other exhibition conducted pursuant to Article 45 of Chapter 106 of the General Statutes.

"§ 14-309.9. **Bingo and raffle prizes.** — (a) The maximum prize in cash or merchandise that may be offered or paid for any one game of bingo is five hundred dollars ($500.00). The maximum aggregate amount of prizes, in cash and/or merchandise, that may be offered or paid at any one session of bingo is one thousand five hundred dollars ($1,500). Provided, however, that if an exempt organization holds only one session of bingo during a calendar week, the maximum aggregate amount of prizes, in cash and/or merchandise, that may be offered or paid at any one session is two thousand five hundred dollars ($2,500).

(b) A raffle conducted pursuant to this Part shall be lawful only if the amount of a prize paid in cash is five hundred dollars ($500.00) or less, or if merchandise used as a prize, not redeemable in cash, has a market value of twenty thousand dollars ($20,000) or less.

(c) This section shall not apply to bingo games or raffles conducted at a fair or other exhibition conducted pursuant to Article 45 of Chapter 106 of the General Statutes.

"§ 14-309.10. **Operation of raffles and bingo.** — The operation of raffles or bingo games shall be the direct responsibility of, and controlled by, a special committee selected by the governing body of the exempt organization in the manner provided by the rules of the exempt organization.

"§ 14-309.11. **Accounting and use of proceeds.** — (a) All funds received in connection with a raffle or bingo game shall be placed in a separate bank account. No funds may be disbursed from this account except the exempt organization may expend proceeds for prizes, advertising, utilities, and the purchase of supplies and equipment used in conducting the raffle and in playing bingo, taxes and license fees related to raffles and bingo and the payment of compensation as authorized by G. S. 14-309.7(c) and for the purposes set forth below for the remaining proceeds. Such payments shall be made by consecutively numbered checks. Any proceeds available in the account after payment of the above expenses shall inure to the exempt organization to be used for religious, charitable, civic, scientific, testing, public safety, literary, or educational purposes or for purchasing, constructing, maintaining, operating or using equipment or land or a building or improvements thereto owned by and for the exempt organization and used for civic purposes or made available by the exempt organization for use by the general public from time to time, or to foster amateur sports competition, or for the prevention of cruelty to children or animals, provided that no proceeds shall be used or expended for social functions for the members of the exempt organization.

(b) An audit of the account required by subsection (a) of this section shall be prepared annually for the period of January 1 through December 31 or otherwise as directed by the Department of Revenue and shall be filed with the Department of Revenue and the local law enforcement agency at a time directed by the Department of Revenue. The audit shall be prepared on a form approved by the Department of Revenue and shall include the following information:

(1) The number of raffles or bingo games conducted or sponsored by the exempt organization;
(2) The location and date at which each raffle or bingo game was conducted and the prize awarded;
(3) The gross receipts of each raffle or bingo game;
(4) The cost or amount of any prize given at each raffle or bingo game:

(5) The amount paid in prizes at each session;
(6) The net return to the exempt organization; and
(7) The disbursements from the separate account and the purpose of those disbursements, including the date of each transaction and the name and address of each payee.

(c) Any person who shall willfully furnish, supply, or otherwise give false information in any audit or statement filed pursuant to this section shall be guilty of a misdemeanor.

(d) All books, papers, records and documents relevant to determining whether an organization has acted or is acting in compliance with this section shall be open to inspection by the law enforcement agency or its designee, or the district attorney or his designee, or the Department of Revenue at reasonable times and during reasonable hours.

"§ 14-309.12. **Violation is gambling.** — A raffle or bingo game conducted otherwise than in accordance with the provisions of this Part is 'gambling' within the meaning of G. S. 19-1 *et seq.*, and proceedings against such raffle or bingo game may be instituted as provided for in Chapter 19 of the General Statutes.

"§ 14-309.13. **Public sessions.** — Any exempt organization operating a bingo game or raffle which is open to persons other than members of the exempt organization, their spouses, and their children shall make such bingo game or raffle open to the general public.

"§ 14-309.14. **Beach bingo.** — Nothing in this Article shall apply to 'beach bingo' games nor shall it apply to any raffle held in conjunction with a convention or other meeting open only to members of the exempt organization, their spouses, and their children. G. S. 18B-308 shall apply to such games."

Sec 4. G. S. 18B-308 is amended by deleting "G. S. 14-292.1", and inserting in lieu thereof "Part 2 of Article 37 of Chapter 14 of the General Statutes".

Sec. 4.1. G. S. 105-66 is amended by adding a new subsection to read:

"(d) Any person obtaining a license under G. S. 14-309.7 is not required to obtain a State license under this section for the same activity, but is subject to subsection (c) of this section as if a State license was required."

Sec. 5. G. S. 18B-1000(5) is amended by adding a new sentence between the first and second sentences of that subdivision to read:

"This provision does not, however, prohibit such an establishment from being open to the general public for raffles and bingo games as required by G. S. 14-309.11(a) and G. S. 14-309.13."

Sec. 5.1. Should the Supreme Court of North Carolina or a federal court having jurisdiction over North Carolina find and determine in any manner, whether on the merits or by denial of petition for discretionary review, that the General Assembly may not constitutionally allow "exempt organizations" as defined herein to conduct bingo or raffles, while denying that privilege to all other persons, then this act and G. S. 14-292.1 are repealed in their entirety, and no person may conduct bingo or raffles under any circumstances not permitted by the gambling laws of North Carolina.

Sec. 6. Prosecutions for offenses occurring before the effective date of this act are not abated or affected by this act, and the statutes that would be applicable but for this act remain applicable to those prosecutions.

Sec. 7. This act shall become effective October 1, 1983.

To this end, the conferees recommend that the Senate and the House of Representatives adopt the foregoing report.

This the 20th day of July 1983.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ W. Craig Lawing	S/ Bruce Ethridge
S/ Robert S. Swain	S/ Martin Lancaster
S/ W. Gerry Hancock, Jr.	S/ Joe Hackney
S/ Conrad R. Duncan	S/ Harry E. Payne, Jr.

The Conference Report, which changes the title, is adopted, by electronic vote (91-8), and the Senate is so notified by Special Message.

CALENDAR

Action is taken on the following:

Conference Report for Senate Committee Substitute for House Committee Substitute for H. B. 426, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE VARIOUS TRANSIENT OCCUPANCY TAXES, TO AUTHORIZE COUNTIES TO LEVY ONE-HALF PERCENT SALES AND USE TAXES, TO ALLOW LOCALITIES TO SPEND SALES TAX REVENUE ON HOUSING, AND TO CHANGE THE METHOD OF FUNDING FOR MEMBERS OF THE LAW ENFORCEMENT OFFICERS' RETIREMENT SYSTEM WHO ARE LOCAL GOVERNMENT EMPLOYEES, passes its second reading for adoption, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Anderson, Ballance, Barbee, Barker, Beall, Beam, Beard, Berry, Black, Bowen, Brannan, Brennan, Bumgardner, Chapin, Childress, Church, Clark, Colton, J. W. Crawford, N. J. Crawford, DeVane, Easterling, Economos, Edwards, Enloe, Bruce Ethridge, Fenner, Fletcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hasty, Hauser, Hayden, Helms, Hightower, Holmes, Holt, Hudson, Hunt, Huskins, Jeralds, Jones, Kennedy, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Murphy, Nash, Nesbitt, Owens, Payne, Pool, Quinn, Rabon, Robinson, Seymour, Slaughter, Spoon, Thomas, Tyndall, Tyson, Varner, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 79.

Voting in the negative: Representatives Allran, Auman, Barnes, Blue, Brawley, Brown, Brubaker, Burnley, Coble, Cochrane, Hackney, C. Hughes, J. Hughes, Jarrell, Jordan, Keesee, Lacey, Lambeth, Ligon, Poovey, Pulley, Redding, Rhodes, Sparrow, and Stamey — 25.

Excused absences: Representatives Diamont, James, Miller, Musselwhite, Roberts, and Spaulding — 6.

Committee Substitute for S. B. 291, A BILL TO BE ENTITLED AN ACT RELATING TO THE PREVENTION OF CHILD ABUSE AND NEGLECT AND ESTABLISHING A CHILDREN'S TRUST FUND FOR THAT PURPOSE, passes its third reading, by the following vote, and is ordered enrolled.

Those voting in the affirmative are: Representatives Anderson, Auman, Ballance, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Brannan, Brennan, Bumgardner, Burnley, Chapin, Childress, Clark, Coble, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Easterling, Economos, Edwards, Enloe, Bruce Ethridge, Evans, Fenner, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Helms, Hightower, Holt, C. Hughes, Hunt, Hunter, Huskins, Jarrell, Jeralds, Jordan,

Kennedy, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McDowell, Matthews, Mavretic, Murphy, Nesbitt, Owens, Payne, Pulley, Quinn, Rabon, Robinson, Sparrow, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Womble, B. Woodard, and Wright — 80.

Voting in the negative: Representatives Allran, Brawley, Brubaker, Cochrane, Fletcher, Holmes, Hudson, J. Hughes, Keesee, Ligon, Mauney, Poovey, Redding, Rhodes, Seymour, Slaughter, and Wicker — 17.

Excused absences: Representatives Diamont, James, Miller, Musselwhite, Roberts, and Spaulding — 6.

H. B. 47, A BILL TO BE ENTITLED AN ACT CONCERNING USE OF SCHOOL BUSES BY SENIOR CITIZENS GROUPS.

Representative Bob Etheridge offers Amendment No. 2 which is adopted by electronic vote (96-7).

Representative Anderson offers Amendment No. 3 which is adopted by electronic vote (85-9).

Representative Economos calls the previous question on the passage of the bill.

Representative Wright moves that the call for the previous question be postponed indefinitely and this motion fails by electronic vote (51-52).

The motion to call the previous question on the passage of the bill is sustained by electronic vote (60-47).

The bill, as amended, passes its third reading, by electronic vote (58-46), and is ordered sent to the Senate, without engrossment, by Special Message.

S. B. 472, A BILL TO BE ENTITLED AN ACT TO EXTEND THIRTY-YEAR UNREDUCED RETIREMENT BENEFITS TO TEACHERS AND STATE EMPLOYEES WHO RETIRED PRIOR TO JULY 1, 1973, AND WHO CONTRIBUTED TO THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM FOR THIRTY OR MORE YEARS.

Representative Bob Etheridge moves that the bill be re-referred to the Committee on Appropriations.

On motion of Representative Tyndall, seconded by Representative Gentry, the motion to re-refer the bill to the Committee on Appropriations is tabled by electronic vote (64-32).

Representative Tyndall calls the previous question on the passage of the bill and the call is sustained by electronic vote (93-9).

The bill passes its third reading, by electronic vote (90-11), and is ordered enrolled.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Watkins for the Committee on Appropriations:

Committee Substitute for H. B. 457, A BILL TO BE ENTITLED AN ACT TO ESTABLISH AN INDIGENT PERSONS ATTORNEY FEE FUND, with an unfavorable report as to Committee Substitute Bill No. 1, favorable as to Committee Substitute Bill No. 2, which changes the title.

On motion of Representative Watkins, the rules are suspended and Committee Substitute Bill No. 2 is placed before the House for immediate consideration. Committee Substitute Bill No. 1 is placed on the Unfavorable Calendar.

The bill passes its second reading, by electronic vote (97-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H. B. 552, A BILL TO BE ENTITLED AN ACT TO AMEND THE COMMUNITY COLLEGE SYSTEM LAWS WITH RESPECT TO THE DEFINITION OF REGIONAL INSTITUTION, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

On motion of Representative Watkins, the rules are suspended and the substitute bill is placed before the House for immediate consideration. The original bill is placed on the Unfavorable Calendar.

Representative Watkins offers Amendment No. 1 which is adopted. This amendment changes the title.

The bill, as amended, passes its second reading, by electronic vote (97-0), and there being no objection is read a third time.

On motion of Representative Watkins, the rules are suspended in order for the bill to have its third reading.

The bill, as amended, passes its third reading and is ordered sent to the Senate, without engrossment, by Special Message.

H. B. 830, A BILL TO BE ENTITLED AN ACT TO ESTABLISH A COMMUNITY PENALTIES PROGRAM, with an unfavorable report as to bill, favorable as to committee substitute bill.

On motion of Representative Watkins, the rules are suspended and the substitute bill is placed before the House for immediate consideration. The original bill is placed on the Unfavorable Calendar.

The bill passes its second reading, by electronic vote (91-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H. B. 1072, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE CONTINUATION OF THE JUVENILE LAW STUDY COMMISSION, with an unfavorable report as to bill, favorable as to committee substitute bill, which changes the title.

On motion of Representative Watkins, the rules are suspended and the substitute bill is placed before the House for immediate consideration. The original bill is placed on the Unfavorable Calendar.

The bill passes its second reading, by electronic vote (96-3), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

H. B. 1379, A BILL TO BE ENTITLED AN ACT CREATING THE CRIMINAL CODE REVISION STUDY COMMITTEE, with an unfavorable report as to bill, favorable as to committee substitute bill.

On motion of Representative Watkins, the rules are suspended and the substitute bill is placed before the House for immediate consideration. The original bill is placed on the Unfavorable Calendar.

The bill passes its second reading, by electronic vote (93-4), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 20, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the Senate adopts the report of the conferees on Senate Committee Substitute for House Committee Substitute for H. B. 489, A BILL TO BE ENTITLED AN ACT TO CLARIFY, RESTRICT AND AMEND THE LAW RELATING TO BINGO GAMES AND RAFFLES, to the end that when a similar action has been taken on the part of the House, you may order the bill enrolled.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

The Speaker orders the bill enrolled.

On motion of Representative Hunt, the rules are suspended and Senate Committee Substitute No. 2 for H. B. 810, A BILL TO BE ENTITLED AN ACT TO ALLOW THE SPEAKER OF THE HOUSE AND THE PRESIDENT OF THE SENATE TO AUTHORIZE STUDIES BY STANDING COMMITTEES AND TO CREATE AND APPOINT SELECT COMMITTEES OF THE GENERAL ASSEMBLY, AND TO MAKE TECHNICAL AMENDMENTS, is withdrawn from the Committee on Rules and Operation of the House and placed on the Calendar for immediate consideration.

On motion of Representative Barbee, the House does not concur in the Senate committee substitute and a conference committee is requested.

The Speaker appoints as conferees on the part of the House, Representatives Watkins, Barbee, Adams, and Miller and the Senate is so notified by Special Message.

INTRODUCTION OF BILLS AND RESOLUTIONS

On motion of Representative Watkins, the rules are suspended and the following is read the first time:

By Representative Watkins:

H. B. 1473, A BILL TO BE ENTITLED AN ACT TO REPEAL CONDITIONS WHICH HAVE BEEN SATISFIED.

On motion of Representative Watkins, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading, by electronic vote (86-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 177, AN ACT PROVIDING COMPENSATION FOR INNOCENT VICTIMS OF CRIME.

H. B. 368, AN ACT TO AMEND CHAPTER 97 OF THE GENERAL STATUTES TO DEFINE INJURY BY ACCIDENT FOR WORKERS' COMPENSATION.

H. B. 376, AN ACT RELATING TO THE DISPOSITION OF ANIMALS BY ANIMAL SHELTERS AND POUNDS.

H. B. 543, AN ACT TO PERMIT THE ISSUANCE OF A CERTIFICATE OF NEED FOR NURSING HOMES IN QUALIFYING COUNTIES THAT DO NOT HAVE NURSING HOMES.

H. B. 583, AN ACT TO PROVIDE TIME TO STUDY THE NEED FOR NEW INTERMEDIATE CARE FACILITY BEDS FOR THE MENTALLY RETARDED.

H. B. 932, AN ACT TO PROVIDE COURT-ORDERED PARENT PARTICIPATION IN TREATMENT IN CERTAIN JUVENILE CASES.

H. B. 1050, AN ACT CREATING A COMMITTEE FOR A COMPREHENSIVE STUDY OF THE PROPERTY TAX SYSTEM IN NORTH CAROLINA.

H. B. 1177, AN ACT TO REQUIRE THE DEPARTMENT OF ADMINISTRATION TO PUBLISH A NORTH CAROLINA PURCHASE REGISTRY.

H. B. 1196, AN ACT TO PLACE THE PRESIDENT OF THE NORTH CAROLINA SOCIETY OF FIRE INSTRUCTORS ON THE STATE FIRE COMMISSION.

H. B. 1465, AN ACT TO AUTHORIZE CERTAIN COUNTIES AND CITIES TO REGULATE ABANDONED, JUNKED VEHICLES FOR AESTHETIC PURPOSES.

H. B. 34, AN ACT TO PROVIDE ALL SENIOR COLLEGES WITH COPIES OF THE SESSION LAWS AND HOUSE AND SENATE JOURNALS.

H. B. 164, AN ACT TO PROVIDE FUNDS FOR SCREENING FOR NEURAL TUBE DEFECTS.

H. B. 451, AN ACT TO PROVIDE FOR THE PUBLICATION OF SUMMARIES OF PROPOSED CONSTITUTIONAL AMENDMENTS.

H. B. 509, AN ACT TO APPROPRIATE FUNDS FOR LUTHERAN FAMILY SERVICES IN NORTH CAROLINA, INC., AS A GRANT-IN-AID TO A PRIVATE CHILD-CARING INSTITUTION.

H. B. 538, AN ACT TO PROVIDE FUNDS FOR MATERNITY HOME CARE.

H. B. 581, AN ACT TO APPROPRIATE MATCHING FUNDS FOR COUNTY DAY-CARE COORDINATING AGENCIES.

H. B. 726, AN ACT TO CLARIFY THE DISPOSITION OF REVENUE GENERATED BY THE SALE OF PERSONALIZED REGISTRATION PLATES.

H. B. 745, AN ACT TO APPROPRIATE FUNDS TO REDUCE THE UNDUE BURDEN PLACED ON WARREN COUNTY AFTER HAVING TO ABSORB THE PCB TOXIC WASTE THAT WAS SPREAD OVER SOME FOURTEEN COUNTIES AND FORT BRAGG.

H. B. 797, AN ACT AUTHORIZING THE ATTORNEY GENERAL TO DESIGNATE AN ATTORNEY TO SPECIALIZE IN THE LAW OF THE HANDICAPPED.

H. B. 990, AN ACT TO AUTHORIZE THE CONSTRUCTION AND THE FINANCING, WITHOUT APPROPRIATIONS FROM THE GENERAL FUND, OF CERTAIN CAPITAL IMPROVEMENTS PROJECTS BY CONSTITUENT INSTITUTIONS OF THE UNIVERSITY OF NORTH CAROLINA.

H. B. 1017, AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF AGRICULTURE FOR WESTERN NORTH CAROLINA MARKET DEVELOPMENT.

H. B. 1018, AN ACT TO APPROPRIATE FUNDS FOR THE ACQUISITION OF PARKLAND AND THE CONSTRUCTION OF FOREST RESOURCES COUNTY HEADQUARTERS.

H. B. 1112, AN ACT TO AMEND CHAPTER 163 OF THE GENERAL STATUTES TO AUTHORIZE REGISTRATION OF VOTERS BY DRIVER LICENSE EXAMINERS OF THE DIVISION OF MOTOR VEHICLES.

H. B. 1137, AN ACT TO PROVIDE AN EDUCATION PROGRAM SPECIALIST AND A MEDIA TECHNICIAN TO AID MEDICAL PROFESSIONALS AND PARENTS, AND EDUCATORS OF HEARING IMPAIRED CHILDREN.

H. B. 1468, AN ACT TO CLARIFY THE PROCEDURE FOR FILING TEMPORARY RULES.

H. B. 1395, AN ACT TO PERMIT CERTAIN GRANTS OF CERTIFICATES OF NEED.

H. B. 1318, AN ACT TO AMEND THE MEMBERSHIP COMPOSITION OF THE GOVERNOR'S WASTE MANAGEMENT BOARD.

H. B. 1307, AN ACT TO CREATE THE PUBLIC EDUCATION POLICY COUNCIL.

H. B. 1219, AN ACT TO APPROPRIATE FUNDS FOR ELECTRONIC DATA PROCESSING FOR THE DEPARTMENT OF INSURANCE.

H. B. 1161, AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF CULTURAL RESOURCES FOR THE COMMITTEE ON ART IN STATE BUILDINGS.

S. B. 59, AN ACT TO INCREASE THE MEMBERSHIP OF THE COMMISSION ON CHILDREN WITH SPECIAL NEEDS.

S. B. 116, AN ACT TO APPROPRIATE FUNDS FOR THE PURPOSE OF IMPLEMENTING H. B. 124, INVOLUNTARY OUTPATIENT COMMITMENT.

S. B. 146, AN ACT TO ESTABLISH THE NORTH CAROLINA INCOME TAX REFUND CHECKOFF PROGRAM FOR THE MANAGEMENT OF NONGAME AND ENDANGERED SPECIES.

S. B. 229, AN ACT REQUIRING A COST STATEMENT TO APPEAR ON STATE PUBLICATIONS.

S. B. 247, AN ACT TO CHANGE THE EMPLOYMENT STATUS OF BLIND PERSONS LICENSED BY THE STATE AND WORKING AS RANDOLPH-SHEPPARD VENDORS UNDER CONTRACT WITH THE DEPARTMENT OF HUMAN RESOURCES.

S. B. 370, AN ACT TO PROVIDE FUNDS FOR THE PERINATAL PROGRAM.

S. B. 419, AN ACT REGARDING REVERSION OF FUNDS APPROPRIATED FOR A STUDY OF THE WHITE OAK RIVER FOR FISCAL YEAR 1981-82 AND 1982-83.

S. B. 433, AN ACT TO PROVIDE THAT THE GUARDIAN AD LITEM APPOINTED FOR A JUVENILE ALLEGED ABUSED OR NEGLECTED MAY PETITION FOR TERMINATION OF PARENTAL RIGHTS.

S. B. 437, AN ACT TO PROVIDE INCENTIVE PAY FOR STATE EMPLOYEES FOR GAINS IN ECONOMY AND EFFICIENCY IN THE RENDERING OF GOVERNMENTAL SERVICES.

S. B. 458, AN ACT TO ENABLE ALL PUBLIC SCHOOL EMPLOYEES TO EARN AND ACCUMULATE ANNUAL VACATION LEAVE AT THE SAME RATE AS THAT PROVIDED FOR STATE EMPLOYEES.

S. B. 461, AN ACT TO EXEMPT NEWSPAPER ADVERTISING SUPPLEMENTS FROM THE NORTH CAROLINA SALES TAX.

S. B. 495, AN ACT TO MAKE INTERSTATE TRANSFERS OF PRISONERS MORE OPEN TO PUBLIC SCRUTINY.

S. B. 518, AN ACT TO CREATE THE LEGISLATIVE COMMISSION ON MEDICAL COST CONTAINMENT.

S. B. 552, AN ACT TO APPROPRIATE FUNDS FOR THE STATE ADULT DAY-CARE PROGRAM.

S. B. 554, AN ACT TO APPROPRIATE FUNDS TO THE DEPARTMENT OF JUSTICE TO PROVIDE FOR IMPLEMENTATION OF THE RADAR ACT.

S. B. 688, AN ACT URGING THE SECOND SESSION OF THE 1983 GENERAL ASSEMBLY TO CONSIDER ADOPTING AN UNREDUCED RETIREMENT ALLOWANCE FOR TEACHERS, STATE EMPLOYEES AND LAW ENFORCEMENT OFFICERS WITH TWENTY-EIGHT YEARS OF SERVICE.

S. B. 601, AN ACT TO APPROPRIATE FUNDS FOR "SIGNAL 25 COMMUNICATORS" FOR THE HIGHWAY PATROL.

S. B. 570, AN ACT TO AUTHORIZE A REVIEW OF THE STATE'S DISABILITY DETERMINATION SERVICES.

H. J. R. 1185, A JOINT RESOLUTION DIRECTING THE MENTAL HEALTH STUDY COMMISSION TO PREPARE A RECODIFICATION DRAFT OF CHAPTER 122 OF THE GENERAL STATUTES, TITLED "HOSPITALS FOR THE MENTALLY DISORDERED", AND OF RELATED STATUTES.

H. B. 33, AN ACT TO APPROPRIATE FUNDS TO THE ADMINISTRATIVE OFFICE OF THE COURTS.

H. B. 478, AN ACT TO APPROPRIATE FUNDS TO THE DIVISION OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES OF THE DEPARTMENT OF HUMAN RSOURCES FOR THE PURPOSE OF INCREASING ADULT DEVELOPMENTAL ACTIVITY PROGRAMS' MONTHLY SUBSIDY.

H. B. 524, AN ACT TO REPEAL ALL ADMINISTRATIVE RULES ADOPTED UNDER THE A. P. A. ABSENT APPROVAL BY THE GENERAL ASSEMBLY AND TO REPEAL G. S. 143B-153.1.

H. B. 1191, AN ACT TO EXEMPT PRIVATE HOMES OFFERING BED AND BREAKFAST ACCOMMODATIONS FROM THE FOOD AND LODGING REQUIREMENTS OF THE PUBLIC HEALTH LAWS AND TO AUTHORIZE THE HEALTH SERVICES COMMISSION TO ADOPT RULES BY JULY 1, 1984.

H. B. 1329, AN ACT TO INCREASE THE RATE OF SUPPORT IN SPECIALIZED COMMUNITY RESIDENTIAL CENTERS SERVING MENTALLY RETARDED CHILDREN.

H. B. 1469, AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

S. B. 416, AN ACT TO REMOVE THE SALES TAX ON DEATH CERTIFICATES.

S. B. 569, AN ACT TO PROVIDE THAT THE RIGHT TO FILE OR CLAIM CERTAIN STATUTORY LIENS ON REAL PROPERTY MAY NOT BE WAIVED.

S. B. 633, AN ACT TO MODIFY THE JUVENILE ADMISSION LAWS.

S. B. 685, AN ACT CONCERNING THE TRANSPORTATION OF FARM PRODUCTS.

S. B. 141, AN ACT TO REWRITE THE PUBLIC HEALTH LAWS.

H. B. 720, AN ACT TO AMEND THE NOTICE REQUIREMENTS OF G. S. 105-375.

On motion of Representative Hunt, seconded by Representative Beard, the House adjourns to reconvene July 21, 1983 at 1:00 p.m.

ONE HUNDRED THIRTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Thursday, July 21, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Locks.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of July 20 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Childress, Diamont, Easterling, James, Musselwhite, Roberts, Spaulding, and Wright for today.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Brannan for the Committee on Housing:

H. B. 964, A BILL TO BE ENTITLED AN ACT TO ALLOW CITIES TO SPEND SALES TAX REVENUE ON HOUSING, with an indefinite postponement report.

By Representative Watkins for the Committee on Appropriations:

Committee Substitute for H. B. 1045, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE SMALL BUSINESS FINANCE STUDY COMMISSION, with a favorable report, as amended.

On motion of Representative Watkins, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Watkins, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (82-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate, without engrossment, by Special Message.

H. J. R. 1169, A JOINT RESOLUTION TO CREATE A STUDY COMMISSION TO EXAMINE ALTERNATIVES FOR INCREASING PUBLIC AWARENESS OF THE IMPORTANCE OF AGRICULTURE, FORESTRY, AND SEAFOOD IN NORTH CAROLINA.

On motion of Representative Watkins, Rule 31(b) is suspended and the resolution is reported unfavorable with a favorable report as to committee substitute bill, which changes the title.

On motion of Representative Watkins, the rules are suspended and the committee substitute bill is placed before the House for immediate consideration. The original resolution is placed on the Unfavorable Calendar.

The bill passes its second reading, by electronic vote (78-2), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

On motion of Representative Watkins, the rules are suspended and S. J. R. 332, A JOINT RESOLUTION DIRECTING THE NORTH CAROLINA COURTS COMMISSION TO STUDY THE PROBLEM OF THE NORTH CAROLINA COURT OF APPEALS' CASE OVERLOAD, is withdrawn from the Committee on Appropriations and is placed before the House for immediate consideration.

The resolution passes its second reading, by electronic vote (75-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

On motion of Representative Hunt, the rules are suspended and S. B. 682, A BILL TO BE ENTITLED AN ACT TO PROHIBIT POSSESSION AND CONSUMPTION OF MALT BEVERAGES AND UNFORTIFIED WINE ON PUBLIC SCHOOL PROPERTY, is withdrawn from the Committee on Rules and Operation of the House and is placed before the House for immediate consideration.

Representative Hackney offers Amendment No. 1 which is adopted.

Representative Mavretic offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (82-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered returned to the Senate for concurrence in House amendments.

On motion of Representative Hunt, the rules are suspended and S. B. 662, A BILL TO BE ENTITLED AN ACT TO ALLOW SANITARY DISTRICTS TO MAKE ASSESSMENTS AGAINST BENEFITTED PROPERTY FOR WATER AND SEWER PROJECTS, is withdrawn from the Committee on Rules and Operation of the House and is placed before the House for immediate consideration.

Representative Watkins offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Allran, Anderson, Auman, Ballance, Barker, Barnes, Beall, Beam, Berry, Bowen, Brannan, Brawley, Brennan, Brown, Burnley, Chapin, Church, Clark, Cochrane, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Fenner, Fletcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hasty, Hauser, Hightower, Holt, Hudson, Hunter, Huskins, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Lilley, Lutz, McAlister, McDowell, Mauney, Nash, Nesbitt, Owens, Pool, Poovey, Quinn, Rabon, Redding, Robinson, Seymour, Slaughter, Sparrow, Spoon, Stamey, Tennille, Thomas, Tyndall, Varner, Watkins, Womble, B. Woodard, and C. Woodard — 81.

Voting in the negative: Representatives C. Hughes and Ligon — 2.

Excused absences: Representatives Beard, Childress, Diamont, Easterling, Evans, James, Matthews, Miller, Musselwhite, Roberts, Spaulding, and Wright — 12.

INTRODUCTION OF BILLS AND RESOLUTIONS

On motion of Representative Watkins, the rules are suspended and the following is read the first time:

By Representative Watkins:

H. B. 1475, A BILL TO BE ENTITLED AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN.

On motion of Representative Watkins, the rules are suspended and the bill is placed before the House for immediate consideration.

Representative Adams requests that he be excused from voting on this bill under Rule 24.1A and this request is granted.

Representative Pulley offers Amendment No. 1.

Representative Pulley calls the previous question on Amendment No. 1 and the call is sustained.

Amendment No. 1 is adopted.

Representative Watkins offers Amendment No. 2 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (90-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate, without engrossment by Special Message.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

Senate Committee Substitute for House Committee Substitute for H. B. 775, A BILL TO BE ENTITLED AN ACT TO CLARIFY A SHERIFF'S PERSONAL LIABILITY FOR THE ACTS OF HIS DEPUTY, is returned for concurrence in Senate committee substitute, as amended.

On motion of Representative Slaughter, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Lee, the House does not concur in the Senate committee substitute, as amended, and a conference committee is requested.

The Speaker appoints as conferees on the part of the House, Representatives Lee, Chairman; Slaughter, Hightower, Pool, and Bob Etheridge, and the Senate is so notified by Special Message.

Committee Substitute No. 3 for H. B. 806, A BILL TO BE ENTITLED AN ACT TO CLARIFY THE DUTY TO STOP IN EVENT OF A MOTOR VEHICLE ACCIDENT, is returned for concurrence in Senate amendment.

On motion of Representative Helms, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Helms, the House concurs in the Senate amendment and the bill is ordered enrolled.

Committee Substitute for H. B. 1379, A BILL TO BE ENTITLED AN ACT CREATING THE CRIMINAL CODE REVISION STUDY COMMITTEE, is returned for concurrence in three Senate amendments.

On motion of Representative Watkins, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Watkins, the House concurs in the three Senate amendments and the bill is ordered enrolled.

Committee Substitute for H. B. 552, A BILL TO BE ENTITLED AN ACT TO PROVIDE THAT WHEN AN AGENCY IMPOSES A CIVIL OR ADMINISTRATIVE PENALTY AND JUDICIAL REVIEW IS AVAILABLE UNDER THE ADMINISTRATIVE PROCEDURE ACT, THE PETITIONER MAY ELECT A DE NOVO REVIEW, is returned for concurrence in Senate amendment.

On motion of Representative Watkins, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Watkins, the House concurs in the Senate amendment, which changes the title, and the bill is ordered enrolled.

Committee Substitute No. 2 for H. B. 457, A BILL TO BE ENTITLED AN ACT TO PERMIT A SUCCESSFUL APPELLANT OF AN AGENCY DECISION TO RECOVER ATTORNEY'S FEES FROM THE AGENCY IN CERTAIN CIRCUMSTANCES, is returned for concurrence in Senate amendment.

On motion of Representative Bob Etheridge, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Bob Etheridge, the House concurs in the Senate amendment and the bill is ordered enrolled.

Senate Committee Substitute for H. B. 779, A BILL TO BE ENTITLED AN ACT TO MODIFY THE CERTIFICATE OF NEED LAW FOR LIFE CARE CENTERS, is returned for concurrence in Senate committee substitute.

On motion of Representative Brennan, the rules are suspended and the bill is placed on the Calendar for immediate consideration.

On motion of Representative Brennan, the House concurs in the Senate committee substitute and the bill is ordered enrolled.

S. B. 699, A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE PRESIDENT OF THE SENATE, is read the first time.

On motion of the Chair, the rules are suspended, and the bill is placed before the House for immediate consideration.

The bill passes its second reading, by electronic vote (85-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

S. B. 701, A BILL TO BE ENTITLED AN ACT CREATING THE HAZARDOUS WASTE STUDY COMMISSION OF 1983, is read the first time and is referred to the Committee on Appropriations.

Committee Substitute for S. J. R. 622, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY SECURITY INTERESTS IN FARM PRODUCTS, is read the first time and is referred to the Committee on Appropriations.

Committee Substitute for S. B. 605, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE DEVELOPMENT OF A WATER QUALITY MANAGEMENT PLAN FOR THE NEUSE RIVER BASIN AND TO CREATE A LEGISLATIVE COMMISSION TO REVIEW WATER POLLUTION PROBLEMS AND WATER RESOURCES NEEDS, AND OVERSEE THE DEVELOPMENT OF THE NEUSE RIVER BASIN WATER QUALITY MANAGEMENT PLAN, is read the first time and is referred to the Committee on Appropriations.

S. J. R. 653, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE CREATION OF A POLLUTION PREVENTION PAYS RESEARCH CENTER IN NORTH CAROLINA, is read the first time and is referred to the Committee on Appropriations.

CALENDAR

Action is taken on the following:

Conference Report for Senate Committee Substitute for House Committee Substitute for H. B. 426, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES TO LEVY ONE-HALF PERCENT SALES AND USE TAXES AND TO DESIGNATE HOW PART OF THE REVENUE FROM THESE TAXES SHALL BE USED, TO ALLOW CERTAIN CITIES TO SPEND SALES TAX REVENUE ON HOUSING, AND TO AUTHORIZE VARIOUS TRANSIENT OCCUPANCY TAXES.

The Conference Report passes its third reading for adoption, by the following vote, and the Senate is so notified by Special Message.

Those voting in the affirmative are: Representatives Adams, Anderson, Ballance, Barbee, Barker, Beall, Beam, Beard, Berry, Bowen, Brannan, Brennan, Bumgardner, Chapin, Church, Colton, N. J. Crawford, Creecy, DeVane, Economos, Edwards, Enloe, Bob Etheridge, Evans, Fletcher, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hasty, Hauser, Hayden, Helms, Holmes, Holt, Hudson, Hunt, Hunter, Huskins, Jones, Lambeth, Lancaster, Lee, Ligon, Lilley, Lutz, McAlister, McDowell, Mauney, Miller, Nash, Nesbitt, Owens, Payne, Pool, Quinn, Rabon, Seymour, Slaughter, Sparrow, Spoon, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Womble, B. Woodard, and C. Woodard — 72.

Voting in the negative: Representatives Barnes, Brawley, Brown, Brubaker, Burnley, Coble, Cochrane, C. Hughes, J. Hughes, Jarrell, Jordan, Keesee, Lacey, Poovey, Pulley, Redding, Robinson, and Stamey — 18.

Excused absences: Representatives Childress, Diamont, Easterling, James, Musselwhite, Roberts, Spaulding, and Wright — 8.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 20, 1983

Mr. Speaker:

Pursuant to your message that the House of Representatives fails to concur in the Senate Committee Substitute No. 2 for H. B. 810, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE GOVERNOR'S ADMINISTRATIVE RULES REVIEW COMMISSION, and requests conferees, the President appoints Senators Rauch, Chairman; J. Edwards, Hardison, and Jordan on the part of the Senate to confer with a like committee on the part of the House to the end that the differences between the two Bodies may be resolved.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 20, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that

Senator Jenkins has been dismissed as Conferee and Senator Hunt has been appointed as Conferee on Committee Substitute No. 2 for H. B. 933, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALTERATION OF A MARRIAGE LICENSE WHEN A PARTY TO THE MARRIAGE LAWFULLY CHANGES HIS OR HER NAME.

Respectfully,
S/ Sylvia Fink
Principal Clerk

Representative Lancaster sends forth the following Conference Report and moves its adoption.

CONFERENCE REPORT

July 21, 1983

TO: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on House Committee Substitute No. 2 for House Bill 933 as amended by the Senate (6/14/83), Senate Amendment No. 1; H. B. 933, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALTERATION OF A MARRIAGE LICENSE WHEN A PARTY TO THE MARRIAGE LAWFULLY CHANGES HIS OR HER NAME, wish to report as follows:

The Conference Committee Recommends that the differences between the Senate and House of Representatives regarding the House Committee Substitute No. 2 for House Bill 933 as amended by the Senate (6/14/83) by Senate Amendment No. 1 be resolved by the adoption of the following amendment:

on page 1, line 19 after the period by deleting the phrase "If allowed"
and substituting:
"If the change of name is allowed,".

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 21st day of July, 1983.

Conferees for the Senate	*Conferees for the House of Representatives*
S/ Robert S. Swain	S/ Daniel T. Blue
S/ Wanda H. Hunt	S/ H. Martin Lancaster
S/ James H. Edwards	S/ Frank W. Ballance, Jr.

The Conference Report is adopted, by electronic vote (85-1), and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE

Senate Chamber
July 21, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the Senate adopts the report of the conferees on House Committee Substitute No. 2 for H. B.

933, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALTERATION OF A MARRIAGE LICENSE WHEN A PARTY TO THE MARRIAGE LAWFULLY CHANGES HIS OR HER NAME, to the end that when a similar action has been taken on the part of the House, you may order the bill enrolled.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

The Speaker orders the bill enrolled.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 21, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the Senate adopts the report of the conferees on Senate Committee Substitute for House Committee Substitute for H. B. 426, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE COUNTIES TO LEVY ONE-HALF PERCENT SALES AND USE TAXES AND TO DESIGNATE HOW PART OF THE REVENUE FROM THESE TAXES SHALL BE USED, TO ALLOW CERTAIN CITIES TO SPEND SALES TAX REVENUE ON HOUSING, AND TO AUTHORIZE VARIOUS TRANSIENT OCCUPANCY TAXES, to the end that when a similar action has been taken on the part of the House, you may order the bill enrolled.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

The Speaker orders the bill enrolled.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 21, 1983

Mr. Speaker:

Pursuant to your message that the House of Representatives fails to concur in the Senate Committee Substitute for House Committee Substitute for H. B. 775, A BILL TO BE ENTITLED AN ACT TO CLARIFY A SHERIFF'S PERSONAL LIABILITY FOR THE ACTS OF HIS DEPUTY, and requests conferees, the President appoints Senators H. Barnes, Winner, and Plyler on the part of the Senate, to confer with a like committee on the part of the House, to the end that the differences between the two Bodies may be resolved.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 21, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that Senators Hipps and Rand have been appointed as conferees for H. B. 775, A BILL TO BE ENTITLED AN ACT TO CLARIFY A SHERIFF'S PERSONAL LIABILITY FOR THE ACTS OF HIS DEPUTY.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

Representative Helms sends forth the following Conference Report and moves its adoption.

CONFERENCE REPORT

July 21, 1983

TO: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on the House Committee Substitute for Senate Committee Substitute for Senate Bill 165 (Third Edition, engrossed 7-15-83) ENTITLED AN ACT TO CREATE THE FELONY OFFENSES OF CHILD ABUSE, USE OF A CHILD IN A SEXUAL PERFORMANCE AND PROMOTING A SEXUAL PERFORMANCE BY A CHILD, wish to report as follows: The Conference Committee recommends that the differences between the Senate and the House of Representatives regarding the House Committee Substitute for the Senate Committee Substitute for Senate Bill 165 (Third Edition, Engrossed 7-15-83) be resolved by the adoption of the text attached to this CONFERENCE REPORT, which changes the title.

Section 1. G. S. 14-318.4 is amended by rewriting the last line of subsection (a) to read: "is guilty of child abuse and shall be punished as a Class I felon." and by adding new subsections (a1) and (a2) to read:

"(a1) Any parent of a child less than 16 years of age, or any other person providing care to or supervision of the child, who commits, permits, or encourages any act of prostitution with or by the juvenile is guilty of child abuse and shall be punished as a Class I felon.

(a2) Any parent or legal guardian of a child less than 16 years of age who commits or allows the commission of any sexual act upon a juvenile is guilty of a Class I felony."

Sec. 2. G. S. 14-190.6 is amended by inserting the following language between "under this Article" and "and": "other than G. S. 14-190.12".

Sec. 3. Chapter 14 of the General Statutes is amended by adding a new section to read:

"§ 14-190.12. **Sexual performance by child.** — (a) The use of a child in a sexual performance or the promotion of such a performance by a child shall be punished as a Class I felony. A person is guilty of the use of a child in a sexual performance if, knowing the character and content of the performance, he employs, authorizes, or induces a child whom he knows or reasonably should know is less than 16 years of age to engage in such performance. The parent, legal guardian, or custodian of a child less than 16 years of age is guilty of the use of a child in a sexual performance if he consents to the child's participation in such performance. A person is guilty of the promotion of a sexual performance by a child

if, knowing the character and content of the performance, he produces, directs, or promotes such performance by a child who he knows or reasonably should know is less than 16 years of age.

For purposes of this section, promotion includes manufacture, delivery, or dissemination. A sexual performance is any play, motion picture, photograph, dance, or other visual presentation exhibited before an audience which includes sexual intercourse, buggery, bestiality, masturbation, sadomasochism, or lewd and lascivious exhibition of the genitals by a child less than 16 years of age.

(b) In addition to any other penalty imposed by law, a person found guilty of violating subsection (a) may be remanded by the court to a State authorized psychiatric facility to receive treatment and counseling for at least 90 days, to be served as a concurrent portion of any imposed sentence."

Sec. 4. This act shall become effective October 1, 1983, and shall apply to offenses committed on or after that date.

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 21st day of July, 1983.

Conferees for the Senate	*Confereees for the House of Representatives*
S/ Ben tison	S/ W. Parks Helms
S/ Dennis J. Winner	S/ Martin Nesbitt
S/ Anthony E. Rand	S/ Annie B. Kennedy
S/ Ollie Harris	S/ Harry E. Payne, Jr.
S/ Elton Edwards	

The Conference Report is adopted, by electronic vote (88-0), and the Senate is so notified by Special Message.

On motion of the Chair, Committee Substitute No. 2 for H. B. 933, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALTERATION OF A MARRIAGE LICENSE WHEN A PARTY TO THE MARRIAGE LAWFULLY CHANGES HIS OR HER NAME, is recalled from the Enrolling Office for further consideration.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 881 AN ACT TO ALLOW THE DARE COUNTY AIRPORT AUTHORITY TO ADOPT ORDINANCES.

H. B. 1472, AN ACT TO ALLOW THE CITY OF REIDSVILLE TO SELL CERTAIN PROPERTY TO ELTON TRENT.

S. B. 291, AN ACT RELATING TO THE PREVENTION OF CHILD ABUSE AND NEGLECT AND ESTABLISHING A CHILDREN'S TRUST FUND FOR THAT PURPOSE.

H. B. 260, AN ACT TO EXCLUDE FROM GROSS INCOME AMOUNTS PAID BY AN EMPLOYER FOR DEPENDENT CARE ASSISTANCE PROVIDED FOR THE BENEFIT OF THE EMPLOYEE.

H. B. 489, AN ACT TO CLARIFY, RESTRICT AND AMEND THE LAW RELATING TO BINGO GAMES AND RAFFLES.

H. B. 814, AN ACT TO REGULATE THE PRACTICE OF MIDWIFERY.

H. B. 1090, AN ACT TO LIMIT THE OPERATION IN NORTH CAROLINA OF TRUCKS WITH TWO TRAILERS AND INCREASED LENGTHS AND WIDTHS MANDATED BY FEDERAL LAW AND TO CONFORM THE NORTH CAROLINA LAW TO FEDERAL REQUIREMENTS.

H. B. 1122, AN ACT TO CREATE THE NEW TECHNOLOGY JOBS ACT.

H. B. 1240, AN ACT TO PROVIDE CONFIDENTIALITY IN LEGISLATIVE COMMUNICATIONS.

H. B. 1356, AN ACT TO CREATE THE CRIME OF ABUSING, NEGLECTING OR EXPLOITING A DISABLED ADULT.

S. B. 472, AN ACT TO EXTEND THIRTY-YEAR UNREDUCED RETIREMENT BENEFITS TO TEACHERS AND STATE EMPLOYEES WHO RETIRED PRIOR TO JULY 1, 1973, AND WHO CONTRIBUTED TO THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM FOR THIRTY OR MORE YEARS.

S. B. 698, AN ACT TO APPOINT PERSONS TO PUBLIC OFFICE UPON THE RECOMMENDATION OF THE PRESIDENT PRO TEMPORE OF THE SENATE.

H. B. 626, AN ACT RELATING TO THE GASTON COUNTY POLICE DEPARTMENT.

H. J. R. 1345, A JOINT RESOLUTION AUTHORIZING THE GENERAL ASSEMBLY TO STUDY THE ADMINISTRATIVE PROCEDURE ACT AND TO REVIEW RULES CURRENTLY IN EFFECT.

H. B. 1142, AN ACT AUTHORIZING STUDIES BY THE LEGISLATIVE RESEARCH COMMISSION AND BY THE COMMISSION ON CHILDREN WITH SPECIAL NEEDS AND MAKING TECHNICAL AMENDMENTS RELATING THERETO.

H. B. 1471, AN ACT TO AMEND CHAPTER 504 OF THE 1983 SESSION LAWS, DEALING WITH WILMINGTON'S FIREMEN'S PENSIONS, TO MAKE A TECHNICAL CORRECTION.

H. B. 1473, AN ACT TO REPEAL CONDITIONS WHICH HAVE BEEN SATISFIED.

H. B. 426, AN ACT TO AUTHORIZE COUNTIES TO LEVY ONE-HALF PERCENT SALES AND USE TAXES AND TO DESIGNATE HOW PART OF THE REVENUE FROM THESE TAXES SHALL BE USED, TO ALLOW CERTAIN CITIES TO SPEND SALES TAX REVENUE ON HOUSING, AND TO AUTHORIZE VARIOUS TRANSIENT OCCUPANCY TAXES.

H. B. 830, AN ACT TO ESTABLISH A COMMUNITY PENALTIES PROGRAM.

H. B. 1072, AN ACT TO PROVIDE FUNDING FOR THE JUVENILE LAW STUDY COMMISSION.

On motion of Representative Hunt, seconded by Representative McDowell, the House adjourns to reconvene July 22, 1983 at 11:00 a.m.

ONE HUNDRED THIRTY-EIGHTH DAY

HOUSE OF REPRESENTATIVES
Friday, July 22, 1983

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Helms.

Representative Hunt, for the Committee on Rules and Operation of the House, reports the Journal of July 21 has been examined and found correct. Upon his motion, the Journal is approved as written.

Leaves of absence are granted Representatives Beard, Childress, Diamont, Easterling, Foster, Ligon, Miller, Musselwhite, Roberts, and Spaulding for today.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 21, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the Senate adopts the report of the conferees on House Committee Substitute for Senate Committee Substitute for S. B. 165, A BILL TO BE ENTITLED AN ACT TO CREATE THE FELONY OFFENSES OF CHILD ABUSE, USE OF A CHILD IN A SEXUAL PERFORMANCE, AND PROMOTING A SEXUAL PERFORMANCE BY A CHILD, to the end that when a similar action has been taken on the part of the House, we will order the bill enrolled.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Hunt for the Committee on Rules and Operation of the House:

S. J. R. 693, A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE 1983 GENERAL ASSEMBLY TO RECONVENE IN 1984, AND LIMITING THE SUBJECTS THAT MAY BE CONSIDERED IN THAT SESSION, with an unfavorable report as to resolution, favorable as to House committee substitute resolution.

On motion of Representative Hunt, the rules are suspended and the House committee substitute resolution is placed before the House for immediate consideration. The original resolution is placed on the Unfavorable Calendar.

The resolution passes its second reading, by electronic vote (94-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate for concurrence in House committee substitute by Special Message.

H. B. 933, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE ALTERATION OF A MARRIAGE LICENSE WHEN A PARTY TO THE MARRIAGE LAWFULLY CHANGES HIS OR HER NAME, having been returned from the Enrolling Office, Representative Lancaster moves that the vote by which the Conference Report was adopted be reconsidered and this motion carries. The Speaker rules the vote is by a two-thirds majority vote.

On motion of the Speaker, the bill is re-referred to the Conference Committee.

By Representative Watkins for the Committee on Appropriations:

Committee Substitute for S. B. 605, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE FUNDS FOR THE DEVELOPMENT OF A WATER QUALITY MANAGEMENT PLAN FOR THE NEUSE RIVER BASIN AND TO CREATE A LEGISLATIVE COMMISSION TO REVIEW WATER POLLUTION PROBLEMS AND WATER RESOURCES NEEDS, AND OVERSEE THE DEVELOPMENT OF THE NEUSE RIVER BASIN WATER QUALITY MANAGEMENT PLAN, with a favorable report, as amended.

On motion of Representative Watkins, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Adams, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (91-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment by Special Message.

S. J. R. 622, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY SECURITY INTERESTS IN FARM PRODUCTS, with a favorable report.

On motion of Representative Watkins, the rules are suspended and the resolution is placed before the House for immediate consideration.

The resolution passes its second reading, by electronic vote (91-1), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

S. J. R. 653, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE CREATION OF A POLLUTION PREVENTION PAYS RESEARCH CENTER IN NORTH CAROLINA, with a favorable report.

On motion of Representative Watkins, the rules are suspended and the resolution is placed before the House for immediate consideration.

The resolution passes its second reading, by electronic vote (86-1), and there being no objection is read a third time.

The resolution passes its third reading and is ordered enrolled.

S. B. 701, A BILL TO BE ENTITLED AN ACT CREATING THE HAZARDOUS WASTE STUDY COMMISSION OF 1983, with a favorable report, as amended.

On motion of Representative Watkins, the rules are suspended and the bill is placed before the House for immediate consideration.

On motion of Representative Watkins, Committee Amendment No. 1 is adopted.

The bill, as amended, passes its second reading, by electronic vote (87-1), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered sent to the Senate for concurrence in House amendment by Special Message.

INTRODUCTION OF BILLS AND RESOLUTIONS

The following are introduced, read the first time and referred to committee:

By Representatives Lancaster, Auman, Beall, Berry, Black, Brennan, Coble, Colton, N. J. Crawford, Diamont, Easterling, Economos, Enloe, Foster, Gist, Greenwood, Grimsley, Helms, Holt, Hunter, Jarrell, Jones, Keesee, Kennedy, Lutz, Nesbitt, Rhodes, Roberts, Seymour Spaulding, Spoon, Tennille, Warren, and Wright:

H. B. 1474, A BILL TO BE ENTITLED AN ACT TO APPROPRIATE ADDITIONAL FUNDS TO THE GRASSROOTS ART FUND, is referred to the Committee on Appropriations.

On motion of Representative Watkins, the rules are suspended and the following is read the first time.

By Representative Watkins:

H. B. 1476, A BILL TO BE ENTITLED AN ACT MAKING ADDITIONAL APPROPRIATIONS FOR VARIOUS LOCAL PROJECTS.

On motion of Representative Watkins, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading, by electronic vote (86-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

CALENDAR

Action is taken on the following:

S. B. 662, A BILL TO BE ENTITLED AN ACT TO ALLOW SANITARY DISTRICTS TO MAKE ASSESSMENTS AGAINST BENEFITTED PROPERTY FOR WATER AND SEWER PROJECTS.

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House amendment by Special Message.

Those voting in the affirmative are: Representatives Anderson, Auman, Ballance, Barker, Barnes, Beall, Beam, Berry, Bowen, Brannan, Brawley, Brown, Brubaker, Burnley, Chapin, Church, Clark, Cochrane, Colton, J. W. Crawford, N. J. Crawford, Creecy, DeVane, Economos, Edwards, Enloe, Bob Etheridge, Evans, Fenner, Fussell, Gentry, Gillam, Gist, Greenwood, Grimsley, Hackney, Hasty, Hauser, Hayden, Holt, Hudson, C. Hughes, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lancaster, Lee, Lilley, McAlister, McDowell, Matthews, Mauney, Mavretic, Murphy, Nash, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn,

Rabon, Redding, Robinson, Seymour, Slaughter, Sparrow, Spoon, Stamey, Tennille, Thomas, Tyndall, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright — 90.

Voting in the negative: None.

Excused absences: Representatives Beard, Childress, Diamont, Easterling, Ligon, Miller, Musselwhite, Roberts, and Spaulding — 9.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 22, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the Senate fails to concur in the House Committee Substitute for S. J. R. 693, A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE 1983 GENERAL ASSEMBLY TO RECONVENE IN 1984, AND LIMITING THE SUBJECTS THAT MAY BE CONSIDERED IN THAT SESSION, and requests conferees. The President appoints Senators Lawing, Royall, and Swain on the part of the Senate to confer with a like committee appointed by the House to the end that the differences arising may be adjusted.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

The Speaker announces the appointment of the following conferees on S. J. R. 693: Representatives Hunt, Chairman; Barbee, and Colton and the Senate is so notified by Special Message.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

Committee Substitute for S. B. 651, A BILL TO BE ENTITLED AN ACT TO CONSOLIDATE FUNCTIONS RELATING TO BUILDING REGULATIONS, DESIGN, CONSTRUCTION AND FACILITIES MANAGEMENT WITHIN THE DEPARTMENT OF ADMINISTRATION, is read the first time and is referred to the Committee on Rules and Operation of the House.

Committee Substitute for S. B. 313, A BILL TO BE ENTITLED AN ACT MAKING APPROPRIATIONS FOR VARIOUS LOCAL PROJECTS, is read the first time.

On motion of Representative Watkins, the rules are suspended, and the bill is placed before the House for immediate consideration.

Representative Watkins calls the previous question on the passage of the bill on its second reading.

The bill passes its second reading, by electronic vote (83-6), and there being no objection is read a third time.

Representative Watkins calls the previous question on the passage of the bill on its third reading and the call is sustained.

The bill passes its third reading and is ordered enrolled.

Representative Watkins sends forth the following Conference Report and moves its adoption.

CONFERENCE REPORT

July 22, 1983

TO: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on Senate Committee Substitute #2, Adopted on July 14, 1983, to House Bill 810, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE GOVERNOR'S ADMINISTRATIVE RULES REVIEW COMMISSION, wish to report as follows: The Conference Committee recommends that the differences between the Senate and the House of Representatives regarding the Senate Committee Substitute #2 adopted July 14, 1983 for House Bill 810 be resolved by the adoption of the text attached to this CONFERENCE REPORT.

Section 1. Article 1 of Chapter 143B of the General Statutes is amended by designating the existing sections as Part 1 and adding a new Part 2 to read:

"Part 2. Governor's Administrative Rules Review Commission.

"§ 143B-29.1. **Governor's Administrative Rules Review Commission established.** — The Governor's Administrative Rules Review Commission is hereby created in the Office of the Governor. The Commission shall consist of ten members, four to be appointed by the Governor and six by the General Assembly, three upon the recommendation of the President of the Senate, and three upon the recommendation of the Speaker of the House of Representatives. Appointments by the General Assembly shall be made in accordance with G. S. 120-121 and vacancies in those appointments shall be filled in accordance with G. S. 120-122. All appointees shall serve two-year terms. Any appointment to fill a vacancy on the Commission created by the resignation, dismissal, death, or disability of any member shall be for the balance of the unexpired term. The Chairman shall be appointed by the Governor.

The Commission shall meet at such times and places as the Chairman shall designate but in any event shall meet at least once a month.

Members of the Commission who are not officers or employees of the State shall receive compensation and reimbursement for travel and subsistence expenses at the rates specified in G. S. 138-5. Members of the Commission who are officers or employees of the State shall receive reimbursement for travel and subsistence at the rate set out in G. S. 138-6.

A quorum of the Commission shall consist of the Chairman and four other Commission members, or a majority of the Commission, whichever is fewer.

"§ 143B-29.2. **Review of rules.** — (a) Rules adopted by an agency to be effective on or after January 1, 1984, shall be filed in the office of the Governor prior to the filing made with the Attorney General pursuant to G. S. 150A-59.

(b) After a rule is filed with the Governor, he shall submit it to the Commission which shall determine whether the rule:

(1) is within the statutory authority of the agency;

(2) is clear and unambiguous;

(3) is necessary.

The commission shall review a rule submitted to it by the Governor not later than the last day of the first calendar month following the filing of the rule with the Governor. The Commission, by a majority vote of the members present and voting, may extend the time

for review of a rule by 60 days to obtain additional information on a rule. The Commission shall file notice of the extension of time for review of a rule with the agency and the Attorney General. Upon that filing, the effectiveness of the rule is delayed for a 60-day period.

(c) If the Commission finds that an agency did not act within its statutory authority in promulgating a rule or a part of a rule, or that a rule is not clear and unambiguous, or that a rule is unnecessary, the Commission shall object and delay the effectiveness of said rule or part of a rule. The Commission shall transmit to the agency, the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Attorney General a written report of the objection and delay of the rule or its part and the reasons for the delay. The delay of the effectiveness of the rule or its part is effective when the Attorney General receives the written report transmitted by the Commission. A rule or its part that is delayed is not 'effective', as defined by G. S. 150A-2(2a).

(d) Within 30 days after receipt of the Commission's written report, an agency shall either amend or repeal the rule to cure the defects cited as reasons for the Commission's objection or return the rule unamended to the Commission.

(e) While the effectiveness of a rule or its part is delayed, the agency which has promulgated it may not adopt another rule which has substantially identical provisions to those for which the Commission delayed the effectiveness of the original rule or part of a rule.

(f) The filing of an amendment to a rule places the entire rule before the Commission for its review.

(g) If an agency does not amend or repeal a delayed rule to cure the defects cited as reasons for the Commission's objection and delay, the Commission shall veto the rule. The Commission shall transmit to the agency, the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Attorney General the written report of the veto of the rule. A rule that is vetoed is not 'effective', as defined by G. S. 150A-2(2a).

"§ 143B-29.3. **Temporary rules.** — Rules adopted in accordance with the procedures in G. S. 150A-13 shall be reviewed by the Commission and are subject to objection as provided in G. S. 143B-29.2. The Commission shall review the reasons given for the adoption of a temporary rule and may veto the rule due to the agency's failure to make the finding required by G. S. 150A-13.

"§ 143B-29.4. **Hearings.** — (a) Notwithstanding the time limitation on review of rules contained in G. S. 143B-29.2, the chairman of the Commission may at any time call a public hearing before the Commission on any rule or part of a rule upon the recommendation of the Commission or upon motion of any member of the Commission. Within 60 days after the public hearing, the Commission may find that the agency did not act within its statutory authority in promulgating the rule, or that the rule is not clear and unambiguous or that the rule is unnecessary, and object to the rule in accordance with G. S. 143B-29.2.

(b) At least 15 days before the hearing, notice of the hearing shall be given to the rule-making agency and to such other persons that desire to be heard, that the Chairman of the Commission considers to be persons that may be affected by the rule or that may request copies of the notice.

"§ 143B-29.5. **Failure to object and delay; inadmissibility into evidence.** — (a) The failure of the Commission to object to and delay the effectiveness of a rule or its part shall not be deemed to be approval of the statutory authority of the rule or its part by the Commission.

(b) Evidence of the Commission's failure to object to and delay the effectiveness of the rule or its part shall be inadmissible in all civil or criminal trials or other proceedings before courts, administrative agencies or other tribunals."

Sec. 2. Article 6C of Chapter 120 of the General Statutes is repealed.

Sec. 3. G. S. 150A-12(b) is amended by deleting "Director of Research of the Legislative Services Commission".

Sec. 4. G. S. 150A-13(a) and (b) are amended by deleting "and the Legislative Research Commission's Administrative Rules Review Committee".

Sec. 5. G. S. 150A-59(c) is amended by adding a new sentence at the end to read: "The effectiveness of rules adopted prior to December 31, 1983, shall not be affected by the imposition of the filing requirement with the Governor under G. S. 150A-60(5)."

Sec. 6. G. S. 150A-60(4) is amended by inserting a period after "Attorney General" and by deleting the remaining language of that section.

Sec. 7. The first sentence of G. S. 150A-12(b) is rewritten to read:

"The agency shall transmit copies of the notice to the Attorney General, the Governor, and all persons who have requested the agency in writing for advance notice of proposed action which may affect them."

Sec. 8. The second sentences of G. S. 150A-13(a) and (b) are amended by inserting after "Attorney General" and before "with the" the following: "and the Governor".

Sec. 9. G. S. 150A-60(4) is rewritten to read as follows:

"(4) Be in the physical form specified by the Attorney General; and

(5) Bear a notation by the Governor that the rule has been filed in accordance with Part 2 of Article 1 of Chapter 143B. This subsection does not apply to rules adopted by the Industrial Commission, the Utilities Commission, or the Department of Transportation relating to traffic sign ordinances, and road and bridge weight limits."

Sec. 10. G. S. 150A-63.1 is amended by inserting "**and Governor's Administrative Rules Review Commission**" between "**Committee**" and "**reports**" in the catchline and is further amended by inserting "or the Governor's Administrative Rules Review Commission's" between "Committee's" and "objection" in the first sentence.

Sec. 11. G. S. 143B-14(b) is amended by adding a new sentence at the end of the subsection to read: "Provided, however, that the provisions of this subsection shall not apply to the review of rules by the Governor's Administrative Rules Review Commission."

Sec. 12. On November 1, 1983, the Legislative Services Officer shall transfer from the funds appropriated to the Legislative Research Commission's Administrative Rules Review Committee to the Office of the Governor for the work of the Governor's Administrative Rules Review Commission all unencumbered funds.

Sec. 13. The second sentence of G. S. 150A-1(a) is amended by inserting after "Chapter:" and before "the Employment Security Commission" the following: "The Governor's Administrative Rules Review Commission,".

Sec. 14. This act shall become effective November 1, 1983, except for Sections 2, 3, 4, and 6 which shall become effective August 1, 1983.

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 22nd day of July, 1983.

Conferees for the Senate
S/ Jim Edwards
S/ Henson Barnes
S/ Harold W. Hardison
S/ Ollie Harris
S/ Robert B. Jordan, III

Conferees for the House of Representatives
S/ William T. Watkins
S/ Allen Adams
S/ Allen C. Barbee
S/ George W. Miller, Jr

The Conference Report, which changes the title, is adopted, by electronic vote (78-0), and the Senate is so notified by Special Message.

On motion of Representative Hunt, the rules are suspended and S. B. 222, A BILL TO BE ENTITLED AN ACT TO ALLOW ANY UNUSED PORTION OF THE TAX CREDIT PROVIDED FOR CONVERSION OF AN INDUSTRIAL BOILER TO WOOD FUEL TO BE CARRIED FORWARD FOR FIVE YEARS, is withdrawn from the Committee on Rules and Operation of the House and is placed before the House for immediate consideration.

On motion of Representative Adams, the bill is re-referred to the Committee on Finance by electronic vote (62-19).

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 22, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the Senate adopts the report of the conferees on Senate Committee Substitute No. 2 for H. B. 810, A BILL TO BE ENTITLED AN ACT TO ESTABLISH THE GOVERNOR'S ADMINISTRATIVE RULES REVIEW COMMISSION, to the end that when a similar action has been taken on the part of the House, you may order the bill enrolled.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

The Speaker orders the bill enrolled.

Representative Hunt sends forth the following Conference Report and moves its adoption.

CONFERENCE REPROT

July 22, 1983

TO: THE PRESIDENT OF THE SENATE AND
THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

We, your conferees, appointed to resolve the differences arising between the Senate and the House of Representatives on House Committee Substitute for Senate Joint Resolution 693, A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE 1983 GENERAL ASSEMBLY TO RECONVENE IN 1984, AND LIMITING THE SUBJECTS THAT MAY BE CONSIDERED IN THAT SESSION, wish to report as follows: The Senate concurs in the House Committee Substitute with the following amendment:

On page 1, line 6, delete "2:00 p.m.", and insert in lieu thereof "3:15 p.m.".

The House concurs in the same.

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 22nd day of July, 1983.

Conferees for the Senate
S/ W. CRAIG LAWING
S/ KENNETH C. ROYALL, JR.
S/ ROBERT S. SWAIN

Conferees for the House of Representatives
S/ JOHN J. HUNT
S/ ALLEN C. BARBEE
S/ MARIE W. COLTON

The Conference Report is adopted, by electronic vote (62-0), and the Senate is so notified by Special Message.

Representative Adams moves that the vote by which S. B. 222, A BILL TO BE ENTITLED AN ACT TO ALLOW ANY UNUSED PORTION OF THE TAX CREDIT PROVIDED FOR CONVERSION OF AN INDUSTRIAL BOILER TO WOOD FUEL TO BE CARRIED FORWARD FOR FIVE YEARS, was re-referred to the Committee on Finance be reconsidered and this motion carries.

Representative Adams offers Amendment No. 1 which is adopted.

The bill, as amended, passes its second reading, by electronic vote (77-0), and there being no objection is read a third time.

The bill, as amended, passes its third reading and is ordered returned to the Senate for concurrence in House amendment by Special Message.

Representative Clark reports that the Conference Committee on Senate Committee Substitute for House Committee Substitute for H. B. 559, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF LANDFILLING FOR CERTAIN CLASSES OF HAZARDOUS WASTES AND OTHER SOLID WASTES, fails to agree.

The Speaker dismisses the conferees and announces the appointment of the following new conferees: Representatives Nesbitt, Chairman; Barnes, Payne, Bruce Ethridge, and Lee and the Senate is so notified by Special Message.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 22, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the appointed conferees on Senate Committee Substitute for House Committee Substitute for H. B. 559, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF LANDFILLING FOR CERTAIN CLASSES OF HAZARDOUS WASTES AND OTHER SOLID WASTES, have been discharged, and the newly appointed conferees are: Senators Royall, Chairman; H. Barnes, J. Edwards, Duncan, and Swain.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. B. 699, AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE PRESIDENT OF THE SENATE.

H. B. 806, AN ACT TO CLARIFY THE DUTY TO STOP IN EVENT OF A MOTOR VEHICLE ACCIDENT.

H. B. 517, AN ACT TO REVISE THE STATUTES RELATING TO THE STATE AUDITOR.

H. B. 1045, AN ACT TO ESTABLISH THE SMALL BUSINESS FINANCE STUDY COMMISSION.

H. B. 1169, AN ACT TO CREATE A STUDY COMMISSION TO EXAMINE ALTERNATIVES FOR INCREASING PUBLIC AWARENESS OF THE IMPORTANCE OF AGRICULTURE, FORESTRY, AND SEAFOOD IN NORTH CAROLINA.

S. B. 165, AN ACT ENTITLED THE CHILD PROTECTION ACT OF 1983.

S. B. 682, AN ACT TO PROHIBIT POSSESSION AND CONSUMPTION OF MALT BEVERAGES AND UNFORTIFIED WINE ON PUBLIC SCHOOL PROPERTY.

H. B. 457, AN ACT TO PERMIT A SUCCESSFUL APPELLANT OF AN AGENCY DECISION TO RECOVER ATTORNEY'S FEES FROM THE AGENCY IN CERTAIN CIRCUMSTANCES.

H. B. 552, AN ACT TO PROVIDE THAT WHEN AN AGENCY IMPOSES A MONETARY CIVIL OR MONETARY ADMINISTRATION PENALTY AND JUDICIAL REVIEW IS AVAILABLE UNDER THE ADMINISTRATIVE PROCEDURE ACT, THE PETITIONER MAY ELECT A DE NOVO REVIEW.

H. B. 779, AN ACT TO MODIFY THE CERTIFICATE OF NEED LAW FOR LIFE CARE CENTERS.

H. B. 1379, AN ACT CREATING THE CRIMINAL CODE REVISION STUDY COMMITTEE.

H. B. 1475, AN ACT TO MAKE TECHNICAL AMENDMENTS TO THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE MAJOR MEDICAL PLAN.

S. J. R. 332, A JOINT RESOLUTION DIRECTING THE NORTH CAROLINA COURTS COMMISSION TO STUDY THE PROBLEM OF THE NORTH CAROLINA COURT OF APPEALS' CASE OVERLOAD.

S. J. R. 622, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY SECURITY INTERESTS IN FARM PRODUCTS.

S. J. R. 653, A JOINT RESOLUTION AUTHORIZING THE LEGISLATIVE RESEARCH COMMISSION TO STUDY THE CREATION OF A POLLUTION PREVENTION PAYS RESEARCH CENTER IN NORTH CAROLINA.

S. B. 313, AN ACT MAKING APPROPRIATIONS FOR VARIOUS LOCAL PROJECTS.

S. B. 605, AN ACT TO APPROPRIATE FUNDS FOR THE DEVELOPMENT OF A WATER QUALITY MANAGEMENT PLAN FOR THE NEUSE RIVER BASIN AND TO CREATE A LEGISLATIVE COMMISSION TO REVIEW WATER POLLUTION PROBLEMS AND WATER RESOURCES NEEDS, AND OVERSEE THE DEVELOPMENT OF THE NEUSE RIVER BASIN WATER QUALITY MANAGEMENT PLAN.

S. B. 662, AN ACT TO ALLOW SANITARY DISTRICTS TO MAKE ASSESSMENTS AGAINST BENEFITTED PROPERTY FOR WATER AND SEWER PROJECTS.

S. B. 701, AN ACT CREATING THE HAZARDOUS WASTE STUDY COMMISSION OF 1983.

H. B. 810, AN ACT TO ESTABLISH THE GOVERNOR'S ADMINISTRATIVE RULES REVIEW COMMISSION.

H. B. 1476, AN ACT MAKING ADDITIONAL APPROPRIATIONS FOR VARIOUS LOCAL PROJECTS.

S. B. 222, AN ACT TO ALLOW ANY UNUSED PORTION OF THE TAX CREDIT PROVIDED FOR CONVERSION OF AN INDUSTRIAL BOILER TO WOOD FUEL TO BE CARRIED FORWARD FOR FIVE YEARS.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 22, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the Senate adopts the report of the conferees on House Committee Substitute for S. J. R. 693, A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE 1983 GENERAL ASSEMBLY TO RECONVENE IN 1984, AND LIMITING THE SUBJECTS THAT MAY BE CONSIDERED IN THAT SESSION, to the end that when a similar action has been taken on the part of the House, we will order the resolution enrolled.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. J. R. 693, A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE 1983 GENERAL ASSEMBLY TO RECONVENE IN 1984, AND LIMITING THE SUBJECTS THAT MAY BE CONSIDERED IN THAT SESSION.

On motion of the Chair, the House recesses.

RECESS

The House meets pursuant to recess and is called to order by the Speaker.

Representative Nesbitt reports that the conference committee on Senate Committee Substitute for House Committee Substitute for H. B. 559, A BILL TO BE ENTITLED AN ACT TO PROHIBIT THE USE OF LANDFILLING FOR CERTAIN CLASSES OF HAZARDOUS WASTES AND OTHER SOLID WASTES, fails to agree. The Speaker will appoint new conferees in 1984.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
July 22, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body respectfully advising that the Senate has concluded the business of the 1983 Session of the General Assembly and in accordance with S. J. R. 693, A JOINT RESOLUTION SETTING THE TIME FOR ADJOURNMENT OF THE 1983 GENERAL ASSEMBLY TO RECONVENE IN 1984, AND LIMITING THE SUBJECTS THAT MAY BE CONSIDERED IN THAT SESSION, stands ready to adjourn to meet again on the second day after the 1984 second primary.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

The Speaker orders a Special Message be sent to the Senate advising that the House has concluded its business of the 1983 Session of the General Assembly and stands ready to adjourn.

On motion of Representative Hunt, seconded by Representative Mavretic, the House adjourns to reconvene Thursday, June 7, 1984 at 12:00 noon.

GRACE A. COLLINS
Principal Clerk

BILLS AND RESOLUTIONS INTRODUCED BY MEMBERS 1983

*Asterisk notes Principal Introducer

ADAMS, ALLEN

Nos. 3, *32, 53, 80, 171, 193, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 240, 241, 248, 253, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 295, 313, 319, *336, *339, 352, *354, 355, 376, 377, 421, 438, *453, 491, 492, 493, 494, 502, 503, 518, 554, *557, *558, 571, 578, 656, *657, 658, 698, *762, 772, *886, *891, 904, 907, 916, 923, *929, 964, *996, 1005, 1007, 1018, 1021, *1039, 1045, 1090, *1093, 1098, 1099, 1106, *1111, *1112, *1113, *1116, 1119, *1171, 1173, 1183, 1189, 1190, *1223, 1224, *1229, *1230, *1253, *1254, 1261, 1267, 1289, 1291, 1309, 1311, 1336, *1390, *1397, 1400.

ALLRAN, AUSTIN

Nos. *92, 96, 173, 188, 367, *369, *497, *715, 720, 762, 891, 917, 923, 1080, 1128, 1173, 1218, 1270, 1309, 1316, 1322, 1360, 1410.

ANDERSON, GERALD

Nos. 1, 85, 90, 117, 144, 158, *166, 188, 202, 203, 204, 205, 206, 207, 208, 240, 290, 334, 337, *365, *366, 368, 438, 444, 445, *490, 504, 576, 599, 734, 762, *787, 788, 797, 840, *843, 891, 896, 917, 941, 958, 971, 972, 973, 985, 1000, 1018, 1031, 1033, 1041, 1046, 1047, 1050, 1067, *1073, 1074, 1080, 1090, 1100, 1101, 1105, 1120, 1145, *1162, 1169, 1170, 1173, *1180, 1183, 1195, *1196, *1197, 1213, 1218, 1223, 1250, *1306, *1419.

AUMAN, T. CLYDE

Nos. 1, *29, *30, 137, 164, 240, *247, 253, 264, 288, *342, 396, *407, *408, 478, *549, 554, *584, *585, *614, *639, *640, *746, 762, *801, *827, 891, 941, 957, 1018, 1050, 1090, *1135, *1139, *1168, 1173, *1181, *1222, *1250, *1293, 1308, *1395, *1411, *1450, 1474.

BALLANCE, FRANK W., JR.

Nos. 3, 51, *79, 149, 171, 240, 241, 253, 263, 306, 319, 341, 438, *521, *522, 554, 698, 720, *745, 762, 891, 904, 962, 964, 998, 1045, 1059, *1069, 1090, 1094, 1136, 1173, 1183, 1184, 1218,*1220, 1223, 1235, 1261, 1263, 1267, 1270, 1311, 1322, 1332, 1339, 1341, 1343, *1360, 1372, 1386, 1406, 1407.

BARBEE, ALLEN C.

Nos. 4, *25, *26, 49, *54, 97, 240, 393, 441, *488, *595, 606, 607, 608, 635, *646, *706, 762, 765, 807, *810, 849, 891, 907, *938, 1100, 1387, *1391, 1402, *1413, *1469.

BARKER, CHRIS S., JR.

Nos. 31, 85, 90, 115, 117, *118, 124, 137, 144. 158, 166, 174, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 238, 288, 333, 334, 337, 365, 366, 490, *504, 554, 563, *576, 599, *689, *690, *734, 760, 762, 787, *788. *840, 843, 891, 941, 985, 1049, 1064, 1080, 1085, 1094, 1100, 1120, 1145, 1146, 1162, 1173, *1185, *1195, 1196, 1250, 1306, 1347, 1372.

BARNES, ANNE C.

Nos. *23, 24, *55, *105, *125, *135, *136, 141, 179, 180, 194, 195, 240, 241, 246, 253, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 288, *295, 316, 319, 332, 334,*343, 370, 377, 410, *432, 438, 444, 445, *510, *548, 554, 658, 762, *776, 787, 891, 904, 916, 964, 1018, 1021, 1036, *1072, 1090, 1092, *1096, 1097, 1100, 1105, 1128, 1129, 1145, 1169, 1173, 1183, *1201, 1223, 1257, 1261, *1267, *1284, 1289, 1311, 1323, *1324, *1336, 1360, 1370.

BEALL, CHARLES W.

Nos. 1, 5, 6, 7, 8, 9, *14, *15, 16, 17, 18, 19, 20. 22, 28, 40, 41, 42, 43, 44, 45, 46, 47, 48, 86, 87, 88, 89, 91, 104, 161, 173, 201, 202, 203, 204, 205, 206, 207, 208, 240, 241, 313, 319, 320, 327, *392, *404, 409, 410, 421, 428, 438, 443, 478, 490, 543, *550, 554, *632, *633, *634, *667, *668, *677, 695, 750, 762, 787, 891, 908, 916, 919, 923, *927, 941, *952, 957, 985, 1017, 1038, *1040, 1045, 1047, *1048, *1058, 1059, 1069, 1090, 1126, 1136, 1151, *1163, *1219, 1223, 1243, 1259, 1270, 1301, 1311, 1328, 1347, *1356, 1400, 1474.

BEAM, SAM L.

Nos. *13, 33, 34, 53, 115, 116, 118, 124, 137, 147, 157, 201, *233, 240, 241, 245, 288, 295, 313, *351, 396, 401, 439, 455, *459, 478, 483, 501, 543, 544, 554, 604, 720, 762, 787, 797, 830, 831, 832, 833, 834, 835, 836, 838, 839, 842, 891, *905, 907, 909, 910, 917, 941, 957, 964, 985, 1000, *1029, 1039, 1084, *1086, 1105, *1110, 1128, 1138, 1159, 1173, 1183, *1215, 1218, 1223, 1261, 1270, 1272, *1295, 1309, 1317, 1322, 1343, 1347, 1393.

BEARD, R. D.

Nos. 1, 3, 50, 56, 57, 58, 59, 60, 61, 62, 63, 100, *115, 117, 118, 124, 132, 188, *234, 238, 240, 288, 320, *326, 333, 409, *420, 428, 438, 453, 478, 490, 554, 566, 611, *695, 708, *736, 739, 760, 762, *768, 866, 891, 916, 928, 941, *958, 1018, 1040, 1161, 1173, 1176, 1218, 1277, 1293, 1322, 1347.

BERRY, PHILLIP O.

Nos. 1, 3, *78, 98, 113, 115, 118, 124, 137, 173, 175, *191, 202, 203, 204, 205, 206, 207, 208, 238, 240, 241, 263, 288, 319, 322, 323, 324, 341, 371, 372, 373, 374, 375, 387, 398, 399, 400, 409, 423, 424, 425, 438, 461, 462, 463, 554, 669, 762, *796, 812, 891, 904, 985, 1045, 1069, 1090, 1145, 1173, 1183, 1184, 1218, 1220, 1223, *1235, 1236, 1259, 1261, 1267 1270, 1311, 1333, 1341, 1343, 1360, 1373, 1386, *1406, *1407, 1474.

BLACK JAMES B.

Nos. 1, 3, 49, 98, 113, 117, *159, 166, 240, 241, 246, 290, 295, 313, 319, 322, 323, 324, 334, 341, 370, 371, 372, 373, 374, 375, 398, 399, 400, 421, 423, 425, 438, 453, 462, 463, 496, *500, 669, *724, 736, *740, 762, 796, *885, 891, 898, 904, 941, 957, 964, 971, 972, 973, 985, *994, 1033, 1038, 1046, 1059, 1064, 1067, 1073, 1098, 1100, 1173, 1176, 1215, 1218, 1223, 1236, 1246, 1247, 1259, 1267, 1296, *1297, 1322, 1328, 1347, 1360, 1386, 1406, 1407, 1474.

BLUE, DANIEL T, JR.

Nos. 3, 22, 157, 171, 173, 179, 180, 219, 240, 241, 248, 253, 263, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 295, 319, 334, 339, 341, 352, 370, 376, 409, *411, 421, 438, *447, 448, 453, 455, 458, 471, 472, 475, 490, 491, 492, 493, 494, *502, 503, 518, 545, 554, *570, *571, 578, *656, 657, 658, 698, *757, *758, *759, 762, 787, 872, 891, 904, 907, 923, 929, *932, *933, 964, 996, 998, 1007, 1018, 1041, 1045, 1047, 1050, 1059, *1065, *1066,

1080, 1098, *1101, 1112, 1128, 1136, *1143, 1173, 1183, 1201, 1218, 1223, 1230, 1261, 1265, 1267, *1279, 1289, *1291, 1309, *1311, 1322, 1332, *1338, 1347, 1350, *1351, 1352, 1373, *1379, 1386, 1397, 1400.

BOWEN, EDWARD C.

Nos. 40, 41, 42, 43, 44, 45, 147, 173, 313, 334, 428, 544, 568, 582, 627, 628, 673, 695, 760, 762, 891, 903, 904, 916, 941, 985, 1038, 1040, 1059, 1090, 1099, 1100, 1105, 1124, 1161, 1173, 1176, 1183, 1204, 1218, 1272, 1328, 1343, *1359, 1372, 1381, *1428, *1429.

BRANNAN, GEORGE W.

Nos. 1, 102, 147, 158, 173, 237, 240, 241, 248, 253, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 313, 319, 340, 396, 428, 438, 478, 502, 523, 554, 762, *813, 830, 831, 833, 834, 836, 838, 891, 928, 941, 1050, 1100, 1173, 1183, 1230, 1309, *1313, 1372, *1442.

BRAWLEY, C. ROBERT

Nos. 22, 68, 69, 158, *173, 177, 188, *311, 333, *454, 470, 543. 554, 762, 891, 923, 941, 985, 1067, 1100, 1173, 1175, 1218, 1246, 1334, 1341.

BRENNAN, LOUISE S.

Nos. 3, 12, 22, 49, 73, *77, 98, 101, 102, 106, 113, 115, 118, 124, 143, 144, 173, 179, 180, *186, 240, 241, 259, 260, 288, *308, *309, 313, 319, 320, 322, 323, 324, 334, *338, 341, 371, 372, 373, 374, 375, 398, 399, 400, 409, 423, 424, 425, *460, 461, 462, 463, 478, 496, 538, 554, *579, *580, *581, 593, 594, *631, 669, 670, 696, *729, 762, *779, *780, 796, 797, 814,*822, 829, *879, 891, 904, 905, 916, *936, 941, 957, 964, 985, 1018, 1029, 1032, 1038, 1059, 1064, 1074, *1075, 1080, 1085, 1094, 1115, 1141, 1173, 1183, 1223, 1234, 1236, 1259, 1261, 1277, 1281, 1296, *1302, *1303, 1309, 1317, 1347, 1406, 1407, 1439, 1474.

BROWN, JOHN WALTER

Nos. 12, 117, 158, 183, 246, 290, 333, 334, 410, 421, 467, 470, 539, 540, 543, 554, 727, 762, 891, 908, 909, 910, 923, 941, 985, 1033, 1041, 1046, 1047, 1059, 1067, 1073, 1080, 1090, 1100, 1105, 1123, 1173, 1175, 1213, 1223, 1246, 1247, 1261, 1322, 1328, 1334, 1372, 1400.

BRUBAKER, HAROLD J.

Nos. 188, 242, 253, 290, 295, 333, 416, 727, 762, 891, 923, 941, 977, 1080, 1100, 1169, 1170, 1173, 1201, 1246, 1270, 1337, 1400.

BUMGARDNER, DAVID W., JR.

Nos. 33, 34, *128, *129, *148, 157, *167, *168, *169, 188, 233, 240, 245, 319, 351, 439, 459, *480, *481, *482, 483, 487, *501, 626, *643, *644, 671, 720, 762, 891, 917, 941, 1018, *1084, 1110, 1138, *1159, 1173, 1218, *1231, 1261, 1347, 1393, 1413.

BUNDY, SAMUEL D.

Nos. 1.

BURNLEY, DOROTHY R.

Nos. 1, 3, 101, 102, 106, 115, 118, 124, 137, 153, 242, 246, 253, 295, 319, 370, 389, 456, 530, 532, 554, 593, 760, 762, 891, 917, 977, 1024, 1030, 1038, 1125, 1162, 1173, 1186, 1223, 1255, 1261, 1278, 1281, 1286, 1308, 1322, 1360, 1363, 1371, 1400.

CHAPIN, HOWARD B.

Nos. 1, *39, 51, 110, 117, 145, 158, 174, 284, 286, 313, *334, *388, 429, 444, 445, 478, *525, 555, 604, 697, *735, 760, 762, 793, 817, 891, *896, 918, 928, 941, 960, *997, 1059, 1100, 1105, 1124, 1145, 1173, 1183, 1184, 1191, 1207, 1218, *1275, 1298, 1299, 1328, 1347.

CHILDRESS, R. J.

Nos. 1, 64, 65, 75, 93, 99, 101, 102, *103, 130, 147, 164, 175, 188, 202, 203, 204, 205, 206, 207, 208, 240, 241, 253, 264, 313, 319, 332, 370, 386, 403, 478, 547, 554, 695, 723, 761, 762, 773, 777, 798, 816, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 891, 898, 917, 923, 934, 937, 941, 964, 978, 1021, 1040, 1045, 1056, *1059, 1080, 1101, 1173, 1177, 1178, 1218, 1223, 1261, 1272, 1311, 1341, 1343, 1372, 1373, 1386, 1400.

CHURCH, JOHN T.

Nos. 12, 22, 39, 110, *149, *211, *212, *213, *214, *215, 241, *255, *256, *257, *258, 306, 313, 333, 418, 438, 444, 445, 523, 554, 695, *709, 745, 762, *841, *867, 891, *895, 910, 916, 940, 941, 1018, 1040, 1058, 1080, *1082, 1090, 1100, *1133, *1150, 1158, 1161, 1173, *1183, *1203, 1218, 1288, 1322, 1388, *1404, *1408, *1463.

CLARK, WILLIAM E.

Nos. 3, *100, 157, *189, 194, 195, 234, 240, 250, *297, *298, *299, *300, *301, *302, 319, *368, 409, 420, *433, *434, *435, *436, 491, 545, *559, 566, 611, *708, 720, *738, *739, 762, *785, 787, 866, 891, *893, 1000, *1016, 1018, 1080, 1173, *1202, 1218, *1292, 1293, 1309, *1330, *1331, 1339.

COBLE, J. HOWARD

Nos. 52, *69, 101, *150, 153, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, *242, 313, 319, 334, 456, 530, 532, 760, 762, 802, *818, *819, 891, 917, 923, 928, 941, *984, 1002, 1005, 1013, 1018, 1030, 1080, 1125, 1155, 1173, 1175, 1186, 1207, 1218, 1259, 1360, 1371, 1372, 1400, 1474.

COCHRANE, BETSY L.

Nos. 2, 52, 177, 179, 311, 334, 370, 409, 454, *514, 544, 554, 604, 762, 891, 1012, 1105, 1162, 1173, 1218, 1304, 1322, 1341, 1360.

COLTON, MARIE W.

Nos. 101,102, 106, 116, 130, 179, 180, 188, 240, 241, 249, 253, *305, 313, 319, 334, 370, 386, *387, *397, 409, *410, 412, *430, 432, 438, 478, 503, 507, 535, *593, *594, *625, 648, 649, 695, 704, *750, 762, 771, 787, *803, *804, 814, *826, 828, *850, 891, *897, 904, 908, *914, *915, 916, *955, 957, 964, 968, 1000, 1015, 1017, 1018, 1025, 1027, 1040, 1045, 1047, 1050, *1089, 1098, 1103, 1123, 1128, *1156, 1161, 1173, 1191, 1218, 1223, 1250, 1259, 1261, 1267, 1290, 1299, 1308, 1311, *1328, 1343, 1347, 1360, *1363, 1370, 1372, 1385, 1394, 1400, 1401, 1439, 1474.

COOK, RUTH E.

Nos. 3, 22, 40, 41, 44, 45, 47, 48, 49,106, 115, 118, 124, 179, 180, 219, 240, 241, 248, *265, *266, *267, *268, *269, *270, *271, *272, *273, *274, *275, *276, *277, *278, *279, *280, 288, 295, 319, 332, 339, 341, 352, 370, 376, 438, 453, 491, 493, 494, 502, 518, 554, 557, 558, 570, 571, *578, 656, 657, *658, 762, 814, 891, 904, 916, 923, 929, *964, 996, 1005, *1007, 1018, 1098, 1099, 1128, 1173, 1183, 1223, 1230, 1257, 1261, 1267, *1289, 1291, 1309, 1311, 1360, 1397, 1400.

CRAWFORD, J. W., JR.

Nos. 39, 114, 149, 173, *306, 313, 319, 554, 745, 762, 867, 891, 895, 917, 923, 940, 941, 985, 1002, 1003, 1021, 1045, 1050, 1069, 1080, 1082, 1090, 1100, 1131, 1133, 1145, 1150, 1173, 1183, 1199, 1209, 1218, 1220, 1272, 1288, 1322, 1332, 1388.

CRAWFORD, N. J., JR.

Nos. 22, 116, 117, 130, 201, 240, 241, 249, 253, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 313, 319, 334, 386, 387, 397, 409, 410, 412, 438, 444, 445, 478, 503, 507, *535, 544, 625, 648, 649, 695, 704, 750, 762, 771, 803, 804, 826, 828, 891, 897, 898, 904, 908, 916. 923, 941, 964, 968, 971, 972, 973, 985, 1017, *1025, *1027, 1040, 1045, 1047, 1050, 1080, 1089, 1098, *1103, 1105, 1123, 1126, 1161, 1173, 1177, 1218, 1259, 1261, 1290, 1308, 1309, 1328, 1343, 1370, *1372, 1385, 1394, 1400, 1401, 1474.

CREECY, C. MELVIN

Nos. 3, 115, 117, 118, *133, *134, 137, 158, 238, 240, 241, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 288, 306, 319, 341, 379, *382, 386, 387, 419, 421, *533, 554, 604, 609, 610, 619, 684, 685, 686, 707, 727, 762, *781, 786, 812, 871, 891, *930, 941, 959, 985, 1018, 1033, 1041, 1046, 1067, 1069, 1073, 1074, 1080, 1085, 1090, 1094, 1100, 1101, 1123, 1136, 1169, 1170, 1173, *1182, 1213, 1223, 1246, 1247, 1263, 1337, 1341, 1343, 1360, 1386.

DEVANE, DANIEL H.

Nos. *72, 82, *95, 117, 147, 236, 295, 349, 394, 396, 406, *428, *476, 546, 577, 618, 723, 762, *883, 891, *981, 1002, 1003, *1092, 1105, 1124, 1128, 1173, *1199, 1204, *1214, 1218, 1223, 1270, 1272, 1316, 1322, 1359, 1363, 1386, 1452.

DIAMONT, DAVID H.

Nos. 1, 3, 22, 40, 41, 42, 43, 44, 45, 48, 173, 177, 179, 180, 240, *241, 246, 319, 334, 410, 421, 438, 444, 445, 554, 623, *647, 658, *754, 762, 782, 820, 891, 909, 910, *931, 1018, *1020, 1021, 1059, *1063, 1090, 1091, 1128, 1153, 1173, 1176, *1194, 1218, 1261, 1267, 1276, 1309, 1322, *1357, *1358, 1363, *1389, 1474.

EASTERLING, RUTH M.

Nos. 1, 3, 22, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 73, 77, 98, *106, 113, 117, 143, 144, 173, 179. 180, 186, 240, 241, 319, 320, *322, *323, *324, 334, *371, *372, *373, *374, *375, *398, *399, *400, 409, *423, *424, *425, 432, *461, *462, 463, 496, 554, 580, *669, *670, *671, *696, 762, 796, 797, 814, 829, 879, 891, *904, 916, 936, 941, *957, 964, 985, 1015, 1029, 1032, 1038, 1059, 1064, 1074, 1080, 1085, 1094, 1098, 1115, 1141, 1173, 1183, 1218, 1223, 1234, 1236, 1259, 1261, 1277, 1281, 1296, 1308, 1309, 1347, 1406, 1407, *1439, 1474.

ECONOMOS, GUS

Nos. 1, 3, 12, 22, *40, *41, *42, *43, *44, *45, *46, *47, *48, 98, 101, 102, 106, *113, 115, 118, 124, *127, 130, *137, 147, 157, 173, 179, 180, *184, 240, 241, 288, 319, 320, 322, 323, 324, 334, 371, 372, 373, 374, 375, 398, 399, 400, *402, 409, 421, 423, 424, 425, 461, 462, 463, 478, 496, *516, 544, 579, 580, 669, 670, 691, 696, 724, *748, *749, 760, 762, *763, 796, 797, 891, 904, *920, 923, 941, 957, 964, *975, *976, 985, *1019, *1028, 1038, 1059, 1074, 1080, 1085, 1094, 1141, 1173, 1183, 1218, 1223, 1236, 1259, 1261, 1272, *1294, 1296, 1308, 1309, 1316, 1317, 1347, 1356, 1400, 1406, 1407, 1474.

EDWARDS, C. R.

Nos. 3, 100, 115, 137, 171, 175, 234, *238, 240, 241, 263, 288, 320, 334, *341, 387, 420, 421, 428, 438, 478, 522, 566, *611, 698, 708, 739, 760, 762, 797, 812, *821, 866, 891, 904, 916, 917, 964, 985, 998, 1045, 1059, 1080, 1173, 1184, 1218, 1223, *1248, 1261, 1277, 1293, 1308, 1328, 1347, 1360, 1373, 1386, 1400, *1448.

ENLOE, JEFF H., JR.

Nos. 22, 116, 117, 201, 202, 203, 204, 205, 206, 207, 208, 253, 290, *312, 313, 319, 386, 396, 410, 426, *443, 455, 471, 472, 478, 544, 554, *569, 632, 633, 634, *636, *637, *638, 677, *716, 727, *737, 750, 762, *851, *876, 891, *898, 908, 916, 917, 941, 985, *1017, 1018, 1033, 1041, 1045, 1046, 1047, 1050, 1059, 1067, 1073, 1080, 1085, 1090, 1100, 1105, 1123, 1126, 1136, 1162, 1169, 1170, 1173, 1176, 1218, 1223, 1246, 1247, 1259, 1261, *1300, *1301, 1308, 1312, 1328, 1334, 1343, *1368, 1372, 1386, 1400, *1415, 1474.

ETHERIDGE, BOBBY R.

Nos. 1, 39, 166, 173, *176, *237, 240, 253, 315, 333, 438, 455, 456, *457, *458, 471, 472, 473, 475, 478, 491, 492, 493, 494, *687, *725, *726, 762, 891, 907, *909, *910, 916, 917, 923, 928, 941, 1000, 1021, 1050, 1092, 1098, 1100, *1121, *1122, 1145, 1173, 1177, 1178, 1179, 1183, 1218, *1262, *1282, *1342, *1382, *1414, *1449.

ETHRIDGE, BRUCE

Nos. 1, 12, 22, 40, 41, 42, 43, 44, 45, 46, 47, 48, 77, 153, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 238, 240, 241, 254, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 296, 319, 334, 368, 438, *477, 478, *489, 545, 554, *563, 658, 762, *784, 787, 797, 886, 889, *890, 891, 896, 909, 910, 964, 985, 1000, 1018, 1038, *1051, 1069, 1080, 1090, 1101, *1104, 1145, 1173, 1218, 1223, 1261, 1270, *1273, 1298, 1299, *1329, 1332, 1339, *1355, 1360, 1383, 1400, *1440.

EVANS, CHARLES D.

Nos. 1, 22, 39, 51, 56, 57, 58, 59, 60, 61, 62, 63, 73, 117, *145, *163, 190, *220, *221, *222, *223, *224, *225, *226, *227, *228, *229, *230, *231, *232, 240, 241, *293, 313, 314, 319, *328, 334, 378, 390, 396, 421, 426, *429, 438, 526, 527, 551, 560, *572, *573, *612, *613, *615, *616, *660, *661, *662, 695, *697, *731, 762, 786, *793, *794, *795, *817, *875, *880, *881, *888, 891, 896, 907, 909, 910, 916, *918, 928, 941, *979, *987, *989, 997, 1040, 1059, 1074, *1158, 1161, 1173, 1183, 1184, *1191, *1210, *1211, *1221, 1250, 1261, 1275, *1298, *1299, *1314, 1328, 1347, 1372, *1420, *1465.

FENNER, JEANNE T.

Nos. 1, *4, 22, *49, 97, 101, 102, 106, 115, 118, 124, *143, *144, 164, 240, 241, *246, 288, 319, *393, 421, 438, 441, 444, 445, 478, 488, 490, *545, *583, *606, *607, 608, 635, 762, 765, 787, 797, 807, 891, 904, 941, *998, *1000, 1031, 1080, 1162, 1173, 1261, 1309, 1387, 1391, *1402, *1437, *1467.

FLETCHER, RAY C.

Nos. 1, *81, 115, 118, 124, 130, 157, *172, 173, 188, 240, *287, 295, 319, *330, 355, 444, 445, *464, *505, *534, 543, 554, *630, *699, 762, 797, 891, 908, 916, 923, 1021, 1059, 1090, 1101, 1105, 1126, 1145, 1173, 1177, 1178, 1179, 1183, 1218, 1261, 1267, *1270, *1271, 1296, 1322, 1332, *1410.

FOSTER, JO GRAHAM

Nos. 1, 3, 22, 40, 41, 42, 43, 44, 45, 98, 106, 113, 157, 173, 177, 179, 180, 188, 241, 409, 421, 423, 424, 425, 438, 463, 478, *496, 523, 554, 575, 669, 670, 696, 762, 796, 797, 891, 904, 923, 957, 964, 983, 985, 1038, 1050, *1053, 1055, 1059, 1060, 1064, 1069, 1074, 1080, 1085, 1090, 1094, *1114, *1115, 1130, 1136, 1141, 1162, 1173, 1183, 1208, *1217, 1218, 1223, 1234, 1236, 1250, 1259, 1277, *1280, *1281, 1296, *1307, 1308, 1309, 1373, 1400, 1406, 1407, 1439, 1474.

FULCHER, G. MALCOLM, JR.

Nos. 22, 43, 70, 115, 118, 124, 174, 240, 241, *254, 288, 296, 563, *684, *685, *686, 697, *703, 762, 886, *889, 890, 891, 909, 910, 923, 941, 1018, 1051, 1080, 1145, 1162, 1173, 1180, 1183, 1218, 1223, 1261, 1298, 1299, 1400.

FUSSELL, AARON E.

Nos. 22, 40, 41, 43, *196, *197, *198, *199, *200, 209, 210, 219, 238, 240, 241, 246, 248, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 334, 339, 341, 409, 421, 444, 445, 487, 502, 518, *523, *544, 570, 571, 578, 656, 657, 658, 762, *797, 872, 891, 904, 916, 917, 928, 929, 941, 964, 985, 996, 1007, 1018, 1021, 1038, 1040, 1059, *1080, 1101, 1105, *1137, 1173, 1207, 1217, 1218, 1230, 1261, 1265, 1291, 1309, 1332, 1350, 1397, *1400.

GENTRY, J. WORTH

Nos. 1, 334, 438, 444, 445, *484, *485, 554, *623, *624, 647, 727, 762, 782, *820, 830, 891, 923, 941, 1020, 1021, *1026, 1031, 1032, 1033, 1041, 1046, 1047, 1059, 1063, 1067, 1069, *1070, 1073, 1081, 1090, 1091, 1100, 1105, 1123, 1136, 1145, 1153, 1173, 1213, 1223, 1243, 1261, 1264, 1276, 1322, 1332, 1334, 1357, 1358, *1434, *1459.

GILLAM, JOHN B. III

Nos. 1, 40, 41, 42, 43, 44, 45, 46, 47, 48, *51, *70, *71, *74, 117, 133, 134, *139, 144, 158, *162, 173, *174, 188, *216, *217, *218, 237, 241, 290, 334, *379, *380, *381, 382, *383, *384, *419, 421, 444, 445, 523, *541, *553, 554, *555, *556, 604, *609, *610, *619, *655, 697, *707, 727,762, 781, 787, 831, 832, 833, 834, 837, 838, 839, *842, *871, 891, 905, 909, 910, 917, 923, 928, 941, *959, *960, *961, *962, *963, 985, 1008, 1013, 1018, 1021, 1033, 1050, 1059, 1074, 1080, 1085, 1090, 1105, 1123, *1124, 1131, 1145, 1169, 1170, 1173, 1183, 1184, 1191, 1201, 1207, 1209, 1218, 1223, 1246, 1247, *1263, 1267, 1298, 1299, *1335, *1346, 1347, 1372, *1456.

GIST, HERMAN C.

Nos. 1, 3, 101, 102, 171, 173, *175, 191, 238, 241, 263, 313, 319, 370, 386, 387, 428, 530, 532, 554, 698, 702, 760, 762, *812, 821, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 891, 898, 917, 964, 985, 1002, 1003, 1005, 1013, 1030, *1045, 1059, 1173, 1177, 1178, 1179, 1183, 1186, 1207, 1218, 1259, 1261, 1267, 1286, 1308, 1311, *1312, 1341, 1360, 1371, 1372, 1386, 1474.

GREENWOOD, GORDON, H.

Nos. 22, 73, 101, 102, 115, 116, 118, 124, 130, 158, 173, 201, 202, 203, 204, 205, 206, 207, 208, 240, 241, 249, 253, 288, 290, 313, 319, 334, 386, 387, 397. 409, 410, *412, 438, 444, 445, *478, 503, *507, 535, 554, *598, 625, 648, 649, 704, 727, 750, 753, 762, *771, 803, 804, 826, *828, 891, 897, 898, 904, 908, 916, 941, 964, *968, 985, 1017, 1021, 1025, 1027, 1033, 1045, 1046, *1047, 1050,

1059, 1067, 1073, 1080, 1085, 1089, 1090, 1098, 1100, 1103, 1105, *1123, 1126, 1128, 1173, 1176, 1177, 1178, 1179, 1218, 1246, 1247, 1259, 1261, *1290, *1308, 1328, 1343, 1370, 1372, 1385, 1394, 1400, 1401, 1474.

GRIMSLEY, WILLIAM T.

Nos. 1, 40, 41, 42, 43, 44, 45, 46, 47, 65, 101, 102, 103, 115, 118, 124, 137, 150, 175, 188, 240, 241, 319, 321, 334, 370, 387, 421, 478, 523, *530, 532, 544, 547, 604, 698, 760, 762, 773, 798, 812, 816, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 891, 898, 916, *917, 923, 928, 961, 1002, 1003, 1005, *1013, 1030, 1033, 1038, 1045, 1046, 1059, 1067, 1080, 1099, 1100, 1105, 1123, 1169, 1170, 1173, 1186, 1207, 1215, 1218, 1246, 1259, 1261, 1308, 1317, 1328, 1334, 1360, 1371, 1372, 1386, *1457, 1474.

HACKNEY, JOE

Nos. 3, *21, 23, *24, *35, *36, *37, *38, *66, *67, 73, 96, 105, 125, *141, *142, *179, *180, *192, 220, 240, 241, 295, 313, *316, 319, *331, *332, 334, 343, 352, 368, 370, 377, *413, *414, 438, 489, 554, *596, 604, *665, *666, *717, *718, 721, 722, 738, *755, 762, 776, *830, *831, *832, *833, *834, *835, *836, *837, *838, *839, 891, *892, 904, 928, 990, 991, 1018, 1035, *1036, 1090, 1092, 1096, *1097, *1108, *1128, *1144, 1145, 1173, 1201, 1218, *1257, *1258, 1261, 1267, 1284, 1289, 1309, 1311, *1323, 1324, 1341, *1383.

HASTY, JOHN C.

Nos. 72, 95, 117, 157, 173, 320, *349, 355, *394, 406, 428, 476, 478, 490, *546, *577, 618, 673, 698, 883, 898, 917, 941, 981, 985, 1013, 1045, 1059, 1092, 1105, 1173, 1199, 1204, 1218, 1223, 1308, 1360, 1386, 1452.

HAUSER, C. B.

Nos. 1, 3, 40, 42, 45, 46, 47, 64, 65, 75, 93, *99, 103, 115, 118, 124, 130, 154, 164, 171, 173, 175, 177, 180, 188, 191, 202, 203, 204, 205, 206, 207, 208, 236, 238, 240, 241, *263, 264, 265, 270, 272, 273, 279, 284, 288, 295, 307, 313, 319, 332, 334, 338, 341, 370, 387, 403, 468, 478, 542, 547, 554, 658, 676, 684, 688, 690, 698, 702, 723, 761, 762, *773, 777, 798, 812, 816, 821, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 891, 923, 928, 934, 937, 953, 964, 971, 972, 973, 1019, 1023, 1032, 1035, 1038, 1039, 1044, 1045, 1056, 1059, 1065, 1069, 1080, 1112, 1114, 1173, 1177, 1178, 1182, 1184, 1217, 1218, 1223, 1235, 1261, 1279, 1281, *1341, 1343, 1360, *1373, 1386, 1400.

HAYDEN, MARGARET B.

Nos. 1, 22, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 71, 106, 113, 117, 143, 144, 179, 180, 240, 241, 295, 319, 334, 341, 421, *438, 443, *444, *445, 478, 523, 623, 647, 658, 660, 753, 762, *782, 787, 814, 820, *844, 891, 904, 916, 941, 957, 985, 1000, 1002, 1003, 1018, 1020, 1021, *1031, *1032, 1038, 1059, 1063, 1080, 1090, *1091, 1101, 1105, *1152, *1153, 1162, 1173, 1176, 1207, 1218, 1223, 1261, *1276, 1357, 1358.

HELMS, H. PARKS

Nos. 1, 53, 96, *98, 106, 113, *160, *170, 193, *240, 264, *310, 313, 319, 322, 323, 324, *352, *353, *360, 371, 372, 373, 374, 375, 398, 399, 400, 409, *415, 423, 424, 425, 438, 448, 453, 455, 457, 458, 461, 462, *463, 473, 474, 475, 478, *491, *492, *493, *494, *512, *513, *538, 554, 669, 670, 696, 720, 762,*774, 796, *805, *806, *829, *882, 891, *899, 904, 909, 910, *941, 964, 980, 985, *1023, 1059, 1098, *1127, *1167, 1173, 1183, *1200, 1213, 1214, 1218, *1236, *1237, 1250, 1259, 1277, *1285, 1296, 1347, 1400, *1405, 1406, 1407, 1474.

HIGHTOWER, FOYLE R., JR.

Nos. 12, 147, 157, 364, 421, 453, *554, 632, 633, 634, 787, 907, 909, 910, 917, 928, 1000, *1014, 1018, 1069, *1090, 1092, 1100, 1105, *1136, 1173, 1183, 1213, 1215, 1218, *1243, *1244, 1296, 1385.

HOLMES, GEORGE M.

Nos. 150, 333, 334, 401, *467, 470, 490, 762, 891, 905, 917, 923, 941, 1013, 1173, 1183, *1322, 1337, 1360.

HOLT, BERTHA M.

Nos. 1, 3, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 28, 86, 87, 88, 89, 91, 104, 106, *130, 153, 161, *188, 240, 241, 251, 253, 264, *281, *282, 284, *294, 319, 327, 335, *370, 386, 409, *450, *451, 478, 479, 542, 575, *744, 746, 747, 756, 762, 814, *877, 891, 904, 916, 919, 923, 941, 964, 995, 1050, 1098, 1102, 1109, 1173, *1234, 1250, *1251, *1252, 1257, 1259, 1261, 1267, *1269, 1328, *1344, 1372, *1435, *1436, *1447, *1453, *1472, 1474.

HUDSON, JOE R.

Nos. 76, 117, 147, 181, 283, *303, *304, *355, 396, *405, 437, 486, 503, 508, 523, 544, *597, 600, 601, 629, *673, 678, 762, *884, 891, 923, 941, 985, 1021, 1050, 1059, 1100, *1105, 1131, 1145, 1173, 1183, 1218, 1223, 1270, *1287, 1310, *1320, 1332, *1340, 1347, *1438, 1470.

HUGHES, CHARLES H.

Nos. 1, 3, 12, 17, 28, 39, 41, 44, 45, 46, 47, 48, 52, 63, 69, 82, 83, 87, 88, 89, *114, 127, 149, 150, 152, *155, 188, 193, 195, 202, 203, 204, 205, 206, 207, 208, 242, 249, 264, 265, 266, 268, 269, 272, 273, 274, 275, 280, 306, 313, 319, 326, 343, 353, 364, 374, 375, *389, *391, 398, 426, 445, 455, 456, 457, 471, 472, 478, 554, 659, 669, 723, 727, 762, 774, 775, 891, 896, 902, 908, 917, *923, 936, 939, 941, 943, 944, 952, 953, 961, 963, *977, 1013, 1038, 1059, 1080, 1101, 1145, 1173, 1183, 1233, 1238, 1315, 1322, 1360, *1401.

HUGHES, JAMES F.

Nos. 1, 183, 188, 539, 540, 554, *710, 762, 891, 902, 908, 923, 1090, 1173, *1175, 1213, 1218, 1249, *1337, 1410.

HUNT, JACK

Nos. 1, *27, 126, *165, 237, 307, 506, 641, 762, 787, *809, *907, 908, 909, 910, 1018, 1126, 1132, *1142, *1154, 1183, 1195, *1242, 1277, *1321, 1416, 1417, 1422, 1426, 1427, 1432.

HUNTER, ROBERT C.

Nos. 22, 53, 73, *116, *152, 193, *201, 202, 203, 204, 205, 206, 207, 208, 233, *253, 264, 295, 319, 386, 396, 410, *448, *449, *455, *456, 457, 458, *471, *472, 473, 474, 475, 478, 491, 492, 493, 494, *604, *605, 723, 750, 762, 787, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 891, 898, 905, 907, 908, 910, 916, *921, *922, 985, 1035, 1045, 1047, 1050, *1078, *1079, 1090, 1100, 1105, 1116, 1119, 1126, 1173, 1176, 1189, *1190, 1215, *1216, 1218, 1259, *1268, 1270, 1277, 1308, 1322, *1325, *1326, 1343, *1367, 1372, *1375, *1377, *1378, 1474.

HUSKINS, J. P.

Nos. *31, *50, *68, 117, 158, 173, 240, 311, 320, *446, 454, *465, *466, *470, *495, *543, 554, *664, 762, 891, 904, 923, 985, *1044, 1064, 1080, 1085, 1090, 1094, 1105, 1131, 1173, 1223, 1347, 1363, *1369.

JAMES, VERNON G.

Nos. 1, 51, 70, 71, *109, 145, 158, 173, 174, 188, *190, 237, 240, 241, *289, *290, 293, *314, *325, *378, 383, *390, 396, 421, *426, *427, 438, 523, 541, *551, 554, 555, 556, *560, 572, 573, 612, 613, 615, 616, 662, 697, *727, 731, 762, *786, 787, 793, 794, 795, *823, *824, 875, 880, 881, 888, 891, 896, 907, 909, 910, 916, 918, 928, 941, 960, 985, 987, *1008, 1021, *1033, 1041, *1046, 1047, 1050, 1067, 1073, 1080, 1085, 1094, 1099, 1100, 1101, 1105, 1123, 1124, 1131, 1133, *1169, *1170, 1173, 1183, *1184, 1191, 1201, 1209, 1210, 1211, 1218, *1246, *1247, 1250, 1298, 1299, 1322, *1334, 1346, 1372, 1404, 1412, *1444, *1455.

JARRELL, MARY

Nos. 1, 101, 102, 147, 175, 241, 334, 370, 456, 478, 530, *532, 760, 762, *802, 891, 898, 904, 916, 917, 928, 985, 1002, 1003, 1005, 1013, 1018, 1024, *1030, 1045, 1050, 1059, 1099, 1105, 1125, 1161, 1173, 1186, 1218, 1223, *1255, 1259, 1261, 1272, *1278, *1286, 1308, 1316, 1328, 1343, 1371, 1372, 1386, 1474.

JERALDS, LUTHER R.

Nos. 3, 100, 147, 171, 175, 177, 179, 180, 191, 234, 236, 237, 238, 240, 241, 263, 299, 313, 319, 320, 334, 341, 387, 420, 428, 438, *566, 611, 698, 708, 739, 758, 759, 762, 797, 812, 821, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 866, 891, 904, 909, 910, 998, 1039, 1045, 1059, 1080, 1090, 1094, 1098, 1173, 1176, 1177, 1178, 1184, 1218, 1223, 1248, 1261, 1328, 1341, 1347, *1386, 1400, 1406, 1407, 1448.

JONES, WALTER B., JR.

Nos. 158, 166, 173, 241, 317, 319, 320, 438, 478, 515, 523, 531, 553, 554, 563, *568, 672, 728, 741, 762, 787, 891, 904, 957, 985, 1029, 1038, 1039, 1050, *1064, 1069, 1074, 1080, 1085, 1090, 1094, 1100, 1101, 1105, *1173, 1218, 1259, 1272, 1277, 1296, 1316, 1317, 1322, *1347, 1372, 1373, 1456, 1462, 1474.

JORDAN, JOHN M.

Nos. 1, 3, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 28, 40, 41, 42, 43, 44, 45, 46, 47, 48, 86, 87, 88, 89, 91, 104, 117, 150, 161, 173, 188, 281, 290, 294, *321, 327, 335, *367, 370, 396, 409, 421, 479, *498, *542, *564, *622, 727, 747, 756, 762, *783, 877, 891, 902, 909, 910, 917, 919, 923, 941, 985, 995, *1038, 1046, 1050, 1067, 1080, 1100, 1102, 1105, 1123, *1146, *1147, *1148, *1149, 1173, *1174, 1218, 1246, *1264, 1277, *1296, 1347, 1400.

KEESEE-FORRESTER, MARGARET P.

Nos. *101, *102, 106, 115, 117, 118, 124, 143, 144, 150, *153, 188, 240, 242, 246, 253, 288, 319, 334, 370, 426, 456, 478, 530, 532, 554, 760, 762, 814, 891, 904, 916, 917, 923, 928, 941, 964, 1002, 1005, 1013, 1018, 1024, 1030, 1038, 1059, 1080, 1105, 1125, 1173, 1186, 1223, 1259, 1261, 1308, 1317, 1322, 1328, 1360, 1371, 1372, 1400, 1474.

KENNEDY, ANNIE BROWN

Nos. 3, 64, 65, *75, 93, 99, 101, 102, 103, 106, 141, 164, 173, 175, 236, 238, 240, 241, 253, 319, 341, 370, 387, 410, 432, 455, 478, 545, 547, 554, 695, 698, *702, 761, 762, 773, 777, 798, 816, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 891, 904, 916, 923, 934, 964, 1040, 1045, 1056, 1080, 1105, 1161, 1173, 1182, 1184, 1218, 1223, 1235, 1259, 1261, 1311, 1338, 1341, *1343, 1360, 1372, 1373, 1386, 1400, 1474.

LACEY, S. B., JR.

Nos. 158, 173, 188, 290, 333, 334, 410, 470, 539, 540, 543, 554, 604, 710, 727, 762, 830, 831, 832, 833, 834, 835, 837, 838, 839, 891, 902, 908, 923, 941, 985, 1033, 1041, 1046, 1047, 1059, 1067, 1073, 1080, 1090, 1100, 1105, 1123, 1173, 1223, 1246, 1247, 1249, 1261, 1322, 1328, 1334, 1341, 1372, 1400, 1410.

LAMBETH, JAMES E.

Nos. 1, 2, 158, 188, 209, 241, 290, 334, *362, *363, *364, 370, *385, 386, 409, *421, *431, 438, 445, 514, 554, 698, 727, 762, 891, 896, 904, 916, 923, 941, 957, 1008, 1012, 1046, 1047, 1050, 1059, 1067, 1073, 1080, 1100, 1101, 1105, 1123, 1173, *1198, *1212, *1213, 1246, *1304, *1305, 1334, 1363, 1372, 1400.

LANCASTER, MARTIN

Nos. *1, 22, 39, 53, *107, *108, *110, *124, *131, *146, 193, *261, 267, 268, 269, 270, 271, 272, 273, 277, *284, *285, *286, 295, 313, 319, 334, 343, *417, 421, 438, 444, 445, 489, 503, *511, 520, *526, *527, *694, 697, *732, *733, 736, 762, 785, 830, 833, 834, 835, 836, 839, *868, 891, 904, 907, 909, 910, 916, 941, *970, 985, *1011, *1034, 1050, *1061, 1064, 1074, 1085, 1100, *1118, 1161, 1173, 1191, *1192, 1204, 1210, 1223, *1259, *1260, 1272, *1283, 1322, 1343, 1351, *1352, 1372, 1424, 1425, 1430, *1474.

LEE, HUGH

Nos. 1, *94, 147, 157, *243, *244, 319, 333, 349, 368, *395, 503, *528, 554, 632, 633, 634, 762, *775, *845, *846, 891, 904, 923, 941, *956, 981, 1021, 1069, 1080, 1094, 1136, 1143, 1173, 1183, 1223, *1241, 1250, 1270, 1293, 1322.

LIGON, BRADFORD V.

Nos. 40, 41, 42, 43, 45, 46, 47, 48, 150, *183, 319, 333, 350, 554, 629, 695, 762, *778, 787, 891, *901, *902, 923, 941, 1173, 1337.

LILLEY, DANIEL T.

Nos. 1, *5, *6, *7, *8, *9, *16, *17, *18, *19, *20, *28, *85, *86, *87, *88, *89, *90, *91, *104, 117, *158, *161, *185, *187, 188, 202, 203, 204, 205, 206, 207, 208, 238, 290, 319, *327, *333, *337, 365, 396, 421, 444, 504, 543, 554, 576, *599, *617, *683, 709, 725, 727, 734, 762, *764, 787, 788, *815, 840, 843, *869, 891, 904, 909, 910, *919, 923, 941, *942, *951, 985, *999, 1033, *1037, 1041, 1045, 1046, 1047, *1049, 1050, 1052, 1064, 1067, 1073, 1080, *1081, 1085, 1094, 1100, 1105, *1120, 1123, 1145, *1155, 1162, 1169, 1170, 1173, 1195, 1196, 1208, 1213, 1277, 1334.

LOCKS, SIDNEY A.

Nos. 3, 72, 95, 171, 173, 175, 180, 240, 241, 263, 320, 334, 341, 349, 387, 394, 396, *406, 410, 428, 476, 478, 545, 546, 554, 577, *618, *698, 727, 762, 812, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 883, 891, 896, 909, 910, 923, 928, 981, 985, 1041, 1045, 1046, 1067, 1073, 1080, 1092, 1100, 1105, 1123, 1173, 1184, 1199, 1201, 1204, *1218, 1220, 1223, 1235, 1261, 1311, 1317, 1334, 1341, 1343, 1360, 1372, 1373, 1386, 1406, 1407, *1452.

LUTZ, EDITH L.

Nos. 1, 40, 42, 43, 44, 45, 70, 71, 106, 115, 118, 124, *126, 137, 174, 179, 180, 237, 240, *288, 290, 307, 320, 396, 478, *506, 554, 555, 556, *641, *676, 727, 760, 762, 891, 907, 908, 909, 910, 923, 928, 960, 1018, 1021, 1033, 1038, 1041, 1046, 1047, 1050, *1067, 1069, 1073, 1090, 1100, 1105, 1123, 1126, 1132, 1136, 1169, 1170, 1173, 1183, 1195, 1201, 1218, 1223, 1246, 1247, 1259, 1317, 1322, 1334, 1347, 1416, 1417, *1422, 1426, *1427, *1432, 1474.

MATTHEWS, TOM

Nos. 4, 22, *97, 117, 147, 264, 313, 393, 428, 438, *441, 488, 554, 606, 607, 608, 619, 635, 706, 751, 752, 762, 765, 787, 807, 849, 891, 941, 985, 998, 1000, 1021, 1059, 1062, 1069, 1080, 1085, 1090, 1094, 1145, 1162, 1173, 1218, 1309, 1322, 1347, 1387, 1391, 1402.

MAUNEY, D. R., JR.

Nos. 1, 33, 34, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 70, 130, 157, *182, 188, 233, 245, 321, 351, 364, 396, 409, 439, 459, 478, *483, 501, 554, *565, *567, *626, 720, *753, 762, 797, 842, 891, 907, 909, 910, 916, 917, 923, 941, 985, 1038, 1053, *1055, 1060, 1080, 1084, 1094, 1105, 1110, 1137, *1138, 1159, 1162, 1173, 1183, 1213, 1215, 1218, 1223, 1270, 1307, 1309, 1322, 1363, 1393.

MAVRETIC, JOSEPHUS L.

Nos. 4, *12, 97, 241, *251, 290, 313, 333, 334, 389, 393, 441, 488, 554, 567, 606, 607, *608, *635, 697, 706, 727, *743, *751, *752, 762, *765, 787, *807, *808, *849, 891, 909, 910, 929, 941, *991, 998, 1002, 1018, 1033, *1035, 1046, 1047, 1053, 1055, *1057, *1060, 1064, 1067, 1069, 1073, 1090, *1095, *1100, 1105, *1140, 1173, 1183, 1191, 1218, 1246, 1294, 1298, 1299, 1307, 1332, 1334, 1347, 1372, *1387, 1391, 1402.

McALISTER, ROBERT L.

Nos. 39, 158, 201, *202, *203, *204, *205, *206, *207, *208, 253, *262, 281, 290, 294, 306, 319, 335, 370, *386, 396, 409, 421, 443, 444, 445, 478, *479, 542, 554, 622, *674, *675, 727, 746, *747, 756, 762, 877, 891, 904, 917, 941, 985, 995, 1021, 1033, 1046, 1047, *1050, 1067, 1073, 1090, 1100, *1102, 1105, 1169, 1170, 1173, 1201, 1218, 1246, 1251, 1257, 1277, 1296, 1308, 1334, 1347, 1368, 1372, *1399, 1435, 1436, *1454, 1472.

McDOWELL, TIMOTHY H.

Nos. 106, 150, 240, 241, 253, 281, 294, 319, *335, 368, 370, 386, 409, 421, 438, 450, *452, 478, 479, 542, 604, *642, *719, 720, 747, *756, 762, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 877, 891, 904, 941, 964, *995, *1010, 1018, 1038, 1050, 1080, 1098, 1102, *1109, 1128, 1173, 1218, 1250, 1251, 1257, 1261, 1308, 1311, 1339, 1372, 1400, 1435, 1436.

MILLER, GEORGE W., JR.

Nos. 1, 3, 22, 39, *53, 164, *178, 193, 238, 240, *250, *361, 368, 370, 421, 438, *442, 444, *469, 478, 489, 491, *529, *575, *705, 762, *772, *814, 870, 874, *878, 887, 891, *894, 904, 907, 923, 924, 925, 926, *935, 957, 985, 988, *1006, *1018, 1068, *1077, 1080, *1117, 1145, *1160, 1173, 1218, *1240, 1257, 1261, 1309, *1365, *1374, *1384, *1392, *1460, *1461.

MURPHY, WENDELL H.

Nos. 1, 147, 158, 289, 290, 295, 523, 544, 762, *825, 891, 923, 928, 960, 1021, 1033, 1038, 1041, 1046, 1047, 1050, *1052, 1067, 1069, 1073, 1080, 1100, *1131, 1169, 1170, 1173, 1183, 1201, 1204, *1209, 1250, 1322, 1334, 1347, *1364, 1372, *1431, *1446.

MUSSELWHITE, MARVIN D., JR.

Nos. 22, *151, 179, 180, 219, 240, *248, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 313, 339, 370, 409, 421, 448, 455, 457, 458, *473, *474, *475, 491, 492, 493, 494, 502, *518, *519, 523, 544, 570, 571, 578, *650, 657, 762, *789, *872, 891, 904, 923, 928, 929, 964, *965, 996, 1016, 1018, 1045, 1050, 1065, 1080, 1101, 1173, 1218, 1223, 1230, *1238, *1239, 1250, *1265, *1266, 1269, 1291, 1309, *1315, 1322, 1347, *1350, *1361, 1397, 1400, *1423.

NASH, ROBIE L.

Nos. 117, 137, 144, 158, 173, 288, 290, 321, *350, 421, 438, 629, 727, 762, 787, 891, 941, 1008, 1018, 1050, 1080, 1090, 1173, 1309, 1334.

NESBITT, MARTIN L.

Nos. 53, 106, 116, 130, 179, 180, 193, *194, *195, 201, 240, 241, *249, 253, 263, *313, 315, 319, 334, 386, 387, 397, 409, 410, 412, 438, 478, 503, 507, 535, 554, 625, *648, *649, 660, *704, 750, 762, 771, 787, 803, 804, 826, 828, 891, 897, 907, *908, 909, 910, 938, 941, 964, 968, 1017, 1021, 1025, 1027, 1035, 1045, 1047, 1050, 1059, 1080, 1089, 1090, *1098, 1103, 1105, 1122, 1123, 1124, *1126, 1128, 1173, *1176, *1177, *1178,*1179, 1218, 1259, 1261, 1267, 1290, 1308, 1322, 1347, *1370, 1372, *1385, *1394, 1400, 1401, 1413, 1474.

OWENS, CHARLES

Nos. 1, 39, 126, 147, 153, 157, 158, 173, 202, 203, 204, 205, 206, 207, 208, 241, *307, 319, 334, *344, 367, 410, 478, 746, 760, 762, 787, 891, 907, 908, 916, 941, *1001, 1018, 1080, 1090, 1124, 1126, *1132, 1173, 1195, 1218, 1250, 1296, 1308, 1317, 1322, 1328, 1360, 1372, 1400, *1409, *1416, *1417, 1422, *1426, 1427, 1432.

PAYNE, HARRY E., JR.

Nos. 1, 3, 12, 101, 102, 153, 173, 194, 195, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 236, 238, 240, 241, 253, 313, 319, *345, *346, *347, *348, 357, 358, 359, 368, 370, 421, 477, 503, 586, 587, 588, 589, 590, 591, 592, 603, 697, 698, 762, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, *852, *853, *854, *855, *856, *857, *858, *859, *860, *861, *862, *863, *864, *865, 891, *900, 923, 938, 941, 964, 985, 992, 1013, 1018, 1035, 1045, *1054, *1062, 1098, 1116, *1119, 1124, *1134, 1143, 1145, 1173, 1176, *1187, *1188, *1189, 1190, 1204, 1218, 1223, 1232, 1250, *1256, 1261, 1267, 1298, 1299, *1339, 1360, 1400, 1413, *1451, *1468, *1471.

POOL, MURRAY

Nos. 428, 568, *582, *627, *628, 762, 787, 891, *903, 938, 1100, 1105, 1173, 1176, 1204, 1218, 1359, *1381, 1413.

POOVEY, J. REID

Nos. *10, *11, *52, 253, 364, 421, 554, *574, 762, *792, 891, *906, 917, 923, 941, 1053, 1055, 1060, 1090, *1165, 1173, 1213, 1218, 1270, 1307, 1322.

PULLEY, W. PAUL

Nos. 1, 3, *73, *96, *235, 241, 313, *319, 334, *401, 421, 438, 469, 526, 527, *645, 760, 762, *790, *791, *800, *870, 874, 878, 887, 891, 904, 907, 937, 941, *954, 964, *969, 985, 1018, *1043, 1173, 1223, 1267, 1347.

QUINN, DWIGHT W.

Nos. 1, *76, 181, 240, 241, 283, 303, 304, 334, 405, *437, 438, *486, 503, *508, *509, 597, 600, 601, *629, 673, 678, 679, 762, *811, 891, 907, 910, 941, 1032, 1050, 1105, 1173, 1218, *1310, *1466, 1470.

RABON, TOM B., JR.

Nos. 1, 22, *84, 147, 153, 173, 221, 222, 225, 227, 228, 229, 230, 231, 232, 238, 241, 313, 319, 334, 345, 346, 347, 357, 358, 359, 370, 478, 502, *520, 554, *620, *621, 697, *711, *712, *713, *714, *742, 762, *847, *848, 891, 909, 910, 916, 923, 938, 941, 985, 1018, 1045, 1059, 1080, 1085, 1094, 1100, 1101, *1172, 1173, 1176, *1193, *1204, *1205, *1206, 1218, 1223, *1232, *1233, 1267, 1298, 1299, 1322, 1347, *1353, 1363, *1396, 1413, 1451.

RAMSEY, LISTON B.

Nos. 53, 193, 404, 762, 891, 927, *1151, 1301.

REDDING, FRANK

Nos. 22, 150, 173, 209, 333, *416, 523, 705, 762, 891, 923, 941, 977, 984, 1038, 1124, 1173, 1175, 1323, 1324.

RHODES, S. THOMAS

Nos. 158, *291, *292, 319, 334, 345, 346, 347, 348, *357, *358, *359, 554, *586, *587, *588, *589, *590, *591, *592, *602, *603, 697, 852, 857, 859, 860, 861, 862, 863, 864, 865, 900, 923, 938, *992, 1134, 1173, 1188, 1204, 1218, 1232, 1256, 1259, 1261, 1270, 1298, 1299, 1311, 1360, 1363, 1451, 1474.

ROBERTS, J. B.

Nos. 3, *33, *34, 73, 147, *157, 233, 240, 241, *245, 253, 319, 351, 368, 428, 432, 435, *439, 459, 483, 501, 545, 554, *720, *721, *722, 762, *769, *770, 891, 909, 910, *911, *912, *913, 941, 964, 1000, 1069, 1084, 1092, 1105, 1110, 1128, 1138, 1159, 1173, 1183, 1199, *1207, 1218, *1245, 1259, *1261, 1270, 1311, 1343, 1360, *1393, 1474.

ROBINSON, GEORGE S.

Nos. *140, 144, 173, 188, 201, 264, 313, 319, 334, 370, 410, 503, *539, *540, 543, 710, 762, 891, 908, 923, 941, 1098, 1143, 1173, 1175, 1215, *1249, 1322, 1347, 1410.

SEYMOUR, MARY P.

Nos. 1, *56, *57, *58, *59, *60,*61, *62, *63, 101, 102, 106, *132, 153, 175, 188, 241, *252, 319, 426, 456, *760, 762, 797, 802, 814, 891, 904, *916, 923, *924, *925, *926, *928, 929, 941, 964, *993, *1002, *1003, *1005, *1009, 1013, *1015, 1018, *1022, *1024, 1030, 1040, 1045, *1083, *1099, *1125, *1161, 1173, *1186, 1218, 1223, 1250, 1259, 1261, 1279, 1308, *1327, 1328, *1362, *1371, 1372, 1373, 1386, *1403, *1445, 1457, 1474.

SLAUGHTER, ROBERT L.

Nos. 49, 73, 76, *123, 130, 177, *181, 188, 209, 210, 240, 241, 264, *283, 289, 295, 303, 304, 313, 315, 319, 334, 355, 403, 405, 421, 437, 438, 486, 502, *503, 508, 526, 527, *537, 554, 597, *600, *601, 629, 650, 673, *678, *679, 727, *730, 762, 787, 884, 891, 904, 909, 910, 917, 938, 941, 957, 985, 1021, 1023, 1045, 1059, 1090, 1100, 1105, 1128, 1131, 1143, 1145, *1166, 1173, 1218, 1223, 1270, 1310, 1311, 1347, *1398, 1413, *1470.

SPARROW, J. RAY

No Bills.

SPAULDING, KENNETH B.

Nos. *3, 40, 41, 77, *154, *171, 194, 195, 240, 241, 263, 265, 266, 270, 272, 273, 279, 280, 295, 319, 341, 352, *422, 438, 469, *536, 554, 762, 870, *873, *874, 878, *887, 891, 904, *971, *972, *973, *983, 998, 1018, 1039, 1059, *1130, 1173, 1183, 1184, 1218, 1259, 1309, *1333, 1360, 1406, *1412, 1474.

SPOON, LEROY P.

Nos. 98, 113, 130, 240, 322, 323, 324, 371, 372, 373, 374, 375, 398, 399, 400, 409, 423, 424, 425, 461, 462, 463, 523, 554, 669, 696, 762, 796, 885, 891, 904, 923, 941, 957, *974, *1071, 1080, 1173, 1218, 1259, 1261, 1296, 1322, 1360, 1413, 1474.

STAMEY, PEGGY

Nos. 22, 40, 41, 42, 43, 44, 45, 46, 47, 48, 106, 117, 179, 180, *209, *210, *219, 240, 241, 248, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 280, 313, 319, 334, 339, 341, 370, *376, 409, 421, 438, 444, *487, 518, 554, 570, 571, 578, 656, 657, 658, 762, 814, 872, 891, 896, 923, 928, 929, 941, 964, 996, 1007, 1017, 1018, 1038, 1080, 1101, 1173, 1207, 1218, 1223, 1230, 1265, 1266, 1291, *1309, 1311, 1372, 1397, 1400, *1421, *1441.

TENNILLE, MARGARET R.

Nos. 1, 3, 53, *64, *65, 75, 93, 99, 101, 102, 103, 106, 130, *164, 173, 179, 180, 193, 240, 241, 246, 253, *264, 319, *356, 368, 370, 386, 411, 444, 455, 471, 472, 478, 491, 492, 493, 494, *547, 702, *723, *761, 762, 773, *777, 787, 798, *799, 814, 816, 830, 831, 832, 833, 834, 835, 836, 838, 839, 891, 904, 905, 916, 923, 932, *934, *937, 941, 957, 964, *978, 1013, 1018, 1023, *1056, 1080, *1164, 1173, 1218, 1223, 1259, 1261, 1322, 1341, 1343, 1386, 1400, *1443, *1458, 1474.

THOMAS, BETTY D.

Nos. 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 76, 101, 102, 106, 143, 144, 164, 179, 180, 181, 240, 241, *259, *260, 264, 283, 284, 303, 304, 319, *403, 405, 421, 437, 438, 444, 445, *468, 478, 486, 491, 492, 493, 494, 503, 508, 597, 600, 601, 629, 658, 673, 678, 679, *688, 762, 814, 891, 904, 910, 916, 923, 941, 957, *988, 1031, 1032, 1038, 1105, *1141, *1157, 1162, 1173, 1218, 1223, 1261, 1310, 1337, 1470.

TYNDALL, J. PAUL

Nos. 1, 39, 117, 124, 130, 157, 158, 240, 254, 288, *296, 319, 334, 364, 396, 421, 478, 523, 554, 563, 762, 886, 889, 890, 891, 896, 923, 941, 985, *1021, 1038, 1051, 1059, 1074, 1080, *1087, *1088, 1105, 1131, *1145, 1162, 1173, 1183, 1207, 1223, 1261, *1332, 1347, 1400.

TYSON, HENRY M.

Nos. 1, 40, 41, 42, 43, 44, 45, 46, 47, 48, 100, 117, 158, 173, 188, 201, 202, 203, 204, 205, 206, 207, 208, 234, 238, 290, 319, *320, 409, 420, 421, 426, 428, 438, 554, 566, 611, 684, 685, 686, 708, 727, 739, 762, 787, *866, 891, 904, 909, 910, 941, 985, 1047, 1069, 1080, 1100, 1123, 1136, 1169, 1170, 1173, 1183, 1218, 1223, 1246, 1247, 1293, 1334, 1347, 1372.

VARNER, JOHN W.

Nos. 1, *2, 3, 115, 118, 124, 137, 240, 241, 288, 334, 386, 396, *409, 421, 431, 438, 478, 514, 604, 698, 762, 891, 917, 923, 941, *1012, 1059, 1145, 1173, 1213, 1289, 1304, 1305, 1343.

WARREN, ED N.

Nos. *117, *138, 147, 158, 166, 173, 174, 179, 180, 237, 290, *317, 333, 428, 438, 478, *515, *531, 553, 554, 555, 556, 563, 568, *672, 675, *728, *741, 762, 787, 891, 898, 904, 909, 910, 941, 960, *985, 1021, 1038, 1050, 1059, 1064, *1074, 1080, *1085, *1094, 1100, 1101, 1105, 1145, 1161, 1162, 1169, 1170, 1173, 1199, 1214, 1246, 1259, 1308, 1334, 1341, 1347, *1462, 1474.

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H 1150 (Approp.)..... 596.
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H 1425 (Approp.) (Incl. in Ch. 923)..... 954.
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H 1275 (Approp.) ..... 733.
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H 464 (Approp.) (Incl. in Ch. 923) ..... 212, 371.
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H 1041 (Approp.)....496.
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H 931 (Approp.) (Incl. in Ch. 923)....418, 575.
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H 1462 (Approp.)....1017.
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H 1333 (Approp.) (Incl. in Ch. 923)....808.
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H 382 (Approp.) (Incl. in Ch. 923)....158, 573.
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H 836 (Approp.)....359, 415.
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REGULAR SESSION

APPENDIX

REGULAR SESSION

APPENDIX

STATE OF THE STATE
ADDRESS TO THE NORTH CAROLINA GENERAL ASSEMBLY IN JOINT SESSION BY GOVERNOR JAMES B. HUNT, JR.

January 17, 1983

This is the fourth State of the State address I have had the honor of delivering to this General Assembly. To all of you in the chamber, and to all the people of North Carolina, I thank you humbly and sincerely for granting me this opportunity to serve you. My family and I give thanks for all that this state has given us. Truly, North Carolina is blessed by God.

As I have done each time before, I come before you tonight to report what we in North Carolina have done — and what we have yet to do.

I come before you to affirm my faith that our best days are not behind us, but ahead of us.

I come before you to challenge those who say that our economy is doomed to failure and that our system of government is flawed and outdated and inadequate to the challenges we face, who even say that government itself *is* the problem. My friends, I do not accept that, and North Carolina deserves better than that!

I come before you to proclaim my belief that the limits on our financial resources do not mean that we have to limit our vision, our dreams and our aspirations for North Carolina.

There are no limits on what we can do, if we do it together.

A tight budget is no excuse for wringing of hands — for inaction. To the contrary, the conditions that prevail today *demand* action. We must act, and we must lead!

We don't have to have more money to do what we need to do in North Carolina.

We can continue to cut out fat and waste. We can get our priorities in order. We can use what we already have better. And we *can* meet our responsibilities to the people of North Carolina!

You members of the General Assembly come from communities in every corner of our state. You know what is happening to the nearly six million people who live here.

As we meet tonight, the cold winds of a national economic recession are blowing through nearly every home in North Carolina.

One in ten of our people are out of work. Farms, factories and small businesses face bankruptcy. Layoffs and loss of income threaten thousands of families. One in every three working families can hardly keep a roof over their heads, clothes on their kids and food on the table. Older people worry about living in decency and with dignity.

Their fears and their anxieties must be our agenda this year.

The people of North Carolina need good jobs. They need good paychecks. Their children need a good education.

You and I were elected by those people. We have a responsibility to them. It is our duty this year to work for them — cooperatively, compassionately and courageously. We must help them!

I welcome that responsibility, and I welcome the opportunity to work with you on their behalf.

This year, I will submit to you a legislative program that is limited in length, but unlimited in hope for the future.

It is based on a careful strategy of investing in education and economic growth, in more jobs and better schools.

That is the strategy North Carolina must have to meet the challenges that will confront us in the next two years, the next two decades and the next century. We can meet those challenges, and we must get to work doing it!

Those challenges come clearly into focus in the report of the North Carolina 2000 project. That effort, chaired brilliantly by President Bill Friday, brought more than 100,000 North Carolinians into the process of planning for tomorrow — a tomorrow that requires strong action to promise a secure economic future, provide educational opportunities, preserve our communities and protect our natural resources.

North Carolina has made a commitment to follow that path to the year 2000, and beyond.

That path has already led us to a national and international reputation as one of the best places in the nation to live, work and do business.

It has strengthened and broadened our economy. It has helped us attract 177,709 new jobs in manufacturing in the past six years. It has helped us withstand the recession better than other states. In the 1974-75 recession, our unemployment rate exceeded the nation's by almost three percent. In this recession, fewer people have lost their jobs in North Carolina than across the rest of the nation, and we have had 20 percent fewer people out of work than our neighboring states.

When I travel outside our state, people ask about our universities, our community college system, our public schools, our North Carolina School of Science and Mathematics, our Research Triangle Park and our Microelectronics Center.

They ask me: How does North Carolina do it? And I tell them: Our strategy is to invest in education and economic growth.

The program I will submit to you will continue that strategy.

It is a program and a strategy that will keep North Carolina moving.

I will propose that you strengthen instruction in our public schools in science and mathematics and in writing.

I will propose that you strengthen the capacity of our community college system to teach young people job skills and to retrain adults in new skills.

I will propose that you continue North Carolina's leadership in attracting the high-technology industries that will create the greatest number of jobs: electronics, computers, information-processing — all of them based on microelectronics technology.

I will also propose, in a Special Message on Crime, that you give our people tough protections against the drunk driver. I hope that the "Safe Roads Act" will be your first order of business. We must get the drinking driver off the road!

The recommended budget that I will submit to you tomorrow will be the most austere North Carolina has seen in a decade.

It will contain only one expansion item.

The people who work for North Carolina, who educate our children, who help our sick and aged, who keep our roads safe, do a *good* job. They have paid the price for the recession of this year. They *deserve* a fair pay raise!

Before you conclude this legislative session, I hope the economy will have turned up enough to provide each of them an across-the-board increase.

But even with the tight budget I will present to you, I urge you to be positive in your consideration and enact what I think should be the top priority of this legislature: lifting the salary freeze for teachers and state employees.

They also deserve all the help we can afford to give them in other ways:

— Like giving teachers a duty-free lunch period, a few minutes for them to refresh themselves and prepare for the afternoon classes.

— Like increasing the travel allowance for state employees.

This year, to help us get through this budget shortfall, they have worked harder, they have worked longer hours and they have stretched everything a little farther.

Since the time this legislature adjourned last year, our revenues have fallen short of estimates by nearly $150 million because of the lingering national recession.

But we have managed that shortfall in a way that has avoided the hardships and disruptions that states across this country have suffered.

Michigan had to cut 10,000 employees off the payroll, shut down state government for six days and cut salaries by five percent. The new governor there has just ordered that the public school's budget be cut by $500 million.

Idaho had to put its state employees on a four-day work week, cutting pay by 20 percent.

In Minnesota, the legislature had to raise taxes and cut out programs to meet a $300 million shortfall.

In Colorado, the state police are laying off almost 10 percent of the force and cutting out some late-night patrols.

In California, the state had to borrow $400 million from the Bank of America to help meet a deficit of more than $1 billion.

When we in North Carolina saw what was coming last year — that revenues might fall short, we did not wait. We cut spending, across the board, by six percent. We put severe restrictions on hiring, purchasing and travel. We asked the public schools to save two percent of their appropriations.

We have managed the taxpayers' dollar responsibly.

This year, some people will try to tell you otherwise. They will claim that North Carolina's progress has come at too high a price, with too much spending and hiring.

My friends, those people do not know what they are talking about!

The fact is that while some people in Washington *talk* about balancing the budget, we in North Carolina *do* it.

The fact is that the growth in state employment — counting the public schools, the community colleges and the universities — has been held to a total of 5.5 percent since 1977 — less than one percent a year.

The fact is that is 20 percent less than our average population growth of 1.25 percent a year in the same six years.

The fact is that, when education is excluded, the growth of state government since 1977 has been a *total* of 1.7 percent — less than 0.3 percent a year.

The fact is, during the last two years, we have cut nearly 2,000 jobs off the state payroll.

The fact is, that is a remarkable record. And don't let anybody try to tell you that this state and this legislature have done otherwise!

And if Washington wants to learn how to run a government with strong economic growth and no deficits, let them come to North Carolina!

This year, I welcome this legislature's help in finding ways to do more with what we have. My administration will be working to do that. We welcome your oversight and partnership.

We will be replacing welfare with workfare.

We will save money by centralizing computer services in all departments under the Governor.

We will ask you to give the Department of Revenue more help to see that all of our citizens pay the taxes they owe on time and in full. And I will ask you to pass a statute that will made tax evasion a felony.

I will *oppose* any efforts to erode our tax base, just as I will oppose any efforts to raise general taxes. North Carolina has one of the lowest tax burdens in the nation, and we cannot afford to lose that advantage over other states.

We are competing with states all across this nation — competing for jobs.

This year, every legislature in every state is asking the same question: What can we do to get more jobs for our people?

And those are not just states in the Sunbelt. States in the Midwest and the Northeast are taking drastic steps to stop the flow of capital and industry from their borders.

They are trying to catch North Carolina. They know we are ahead of them.

We are on the right course, and we must stay on it. We must redouble our efforts to meet their competition. We must maintain North Carolina's momentum. We must keep our competitive edge!

Our primary goal must be to prepare our people to work in a modern technology economy. That means basic skills, job training and research. It means infusing our entire educational system with excellence and discipline.

I urge the following 10-step plan for our public schools which we can carry through even with our tight state budget.

(1) We must continue our superb Kindergarten and Primary Reading Program with a teacher and full-time aide in every classroom in grades K-3. We cannot afford cuts in this solid foundation of our system!

(2) We should retrain teachers who are presently teaching math and science "out-of-field" and prohibit this in future years. In grades 7-12 in school year 1980-81, 40 percent of our math teachers were not certified in math. The figures for science were 29 percent. We must change that.

The budget I present to you will provide for $1,000 retraining grants to pay the costs of high school teachers taking college and university courses in science and mathematics. It will fund a summer institute program to retrain 1,500 teachers in middle schools and junior high schools. Over the next four years, we can finish this job of retraining and have every teacher teaching "in-field." We can achieve this goal.

(3) We should recruit math and science teachers more aggressively by redirecting The Prospective Teacher Scholarship Loan Program to those who plan to teach in this critical field.

(4) We should provide funds as recommended in the budget for an additional six weeks of employment for one lead teacher of math or science in each of North Carolina's high schools. This teacher would work during the summer at improving science and math instruction for the entire school for the coming year.

(5) We should develop examples of "true excellence" in math and science by establishing model projects at elementary or secondary schools in each of the eight educational districts.

(6) We should begin to gradually increase the minimum standards required for passing on the competency test and consider putting some science questions in the competency and annual tests.

(7) The State Board of Education under Dick Spangler's fine leadership should approve quickly the proposals to increase the high school graduation requirements from 18 to 20 units, including at least two units each in math and science. We must set rigorous standards for high school graduation.

(8) We should increase our emphasis on "maximum competency" in schools by implementing the proposed North Carolina Scholars Program giving higher recognition to students who complete a more rigorous high school curriculum, including at least three courses in math, three in science, four in English, and two in foreign language.

(9) Our colleges and universities should increase the number of math and science courses required for admission.

(10) We must continue to build the North Carolina School of Science and Mathematics which is stimulating better math and science teaching in all of our public schools and in both years since its establishment has led the nation in the percentage of national merit scholarship semi-finalists.

I will also ask you to expand the special institutes in which teachers upgrade their skills in teaching writing. We will add writing to our rigorous testing program. We must strengthen our students' ability to write and communicate.

We have significantly reduced the number of dropouts from our schools over the past few years. Now we must redouble our efforts and stress joint programs between our public schools and community colleges. The state of Charles Brantley Aycock and Terry Sanford should not rest until we help every single North Carolina youngster to graduate.

These will be the new building blocks on top of the strong education foundation that this legislature and this state have already built for our future. We must teach our children the skills they will need to compete with their peers in South Carolina and Virginia and Japan and West Germany and the Soviet Union.

Because we are preparing students for the jobs of tomorrow, we must make business a full partner in educating them. We must make sure the skills they learn today connect to the skills business will need tomorrow.

Spending more tax money is not the only way to strengthen education. We need more businesses and individuals giving the schools a helping hand.

I applaud the establishment of the North Carolina Business Council on Science and Mathematics Education and the "adopt-a-school" program which has been so successful.

All of North Carolina led by its Governor and General Assembly, must make a new commitment to excellence in education. We ought to hold up good teachers and good principals and good schools as examples. We ought to recognize their accomplishments and issue a challenge for excellence.

This is why I have proclaimed 1983 as "The Year of the Public School" in North Carolina. The time has come to rally around the public schools, the time has come to get more personally involved in them, and the time has come to mobilize the forces for education across our state.

The key to economic growth is education — the public schools, the community colleges and the universities.

I will ask you to strengthen skill training in our state. The primary responsibility of our community college system must be to teach people the skills they need to get good jobs, and we must see that this responsibility is being met.

So I will ask you to provide new training equipment for the system and to increase its ability to train employees for new industries.

Very soon, I will sign an executive order spelling out a job-training policy for North Carolina, assigning specific responsibilities for each part of our overall system and mandating a close working partnership with private industry. We are already developing a new Labor Market Information system, to identify the new jobs and where they will be in the years to come. I am tired of people having to move to North Carolina to fill certain jobs. I want us to commit ourselves to train our own people to fill every job in the "help wanted" ads of North Carolina's newspapers.

We know where the new jobs will be in the future — in rapidly advancing technological fields related to areas like microelectronics and biotechnology. That is where North Carolina must go!

In 1981, this legislature wisely created the Microelectronics Center of North Carolina — drawing together university researchers and students in that field. That action put North Carolina far ahead of most other states in the competition for the jobs of the future.

The Microelectronics Center of North Carolina is our "magnet" as we move to attract jobs in electronics and microelectronics. Already our fourth largest industry, this is a field that is relatively recession-proof, that tends to recover very early in an economic upturn, and one in which the United States still has a high degree of world leadership.

This year, I will ask you to continue your support of this center, so that we can operate the facilities under construction, buy the equipment needed, and build the communications network to tie together the universities that make up the Center.

To survive and to meet the economic and military challenge from abroad, our nation must learn to work smarter. That is how our great textile industry has survived — by investing in technology and automation and efficiency. Ten years ago, some people had written the textile industry off as dead. But it met the challenge, it remains North Carolina's most important industry. We should learn the lesson textiles has taught us. And we must continue to support this $15 billion per year industry.

There are other things we must do to keep North Carolina competitive.

We must finish critically important links in our highway system. You know how great those needs are, especially in certain parts of our state. We cannot afford to let our hard-earned tax dollars that we send to Washington go to build roads in other states. I will ask you to provide the additional funds required to match federal construction aid. And I believe those additional funds should come primarily from an increase in the tax on alcoholic beverages.

Since 1981, under Secretary Bill Roberson, the Department of Transportation, has cut out the fat, instituted tough new protections against bid-rigging and increased miles of road being resurfaced by ten-fold.

To attract new industry, we must maintain an adequate supply of electrical energy at a reasonable price.

The safe reduction, recycling and disposal of hazardous wastes is also critically important to economic growth, as well as to environmental protection. The 1981 legislature established a waste-management system that is among the best in the nation. We must maintain that system and strengthen it if that is needed.

We must maintain our strong environmental laws. I will urge you to provide the additional funds needed to keep in place the Coastal Area Management Act. And, although North Carolina has bound itself in the past to not exceed federal environmental regulations, we will closely watch the regulations to govern landfills now being developed by the EPA. If these standards are too weak, I assure you that I will propose legislation to this General Assembly to provide for the safety of our people.

We must make wise and full use of our productive resources — our forests and our fisheries. We must insure that prime farmland is preserved.

We must not squander any of the resources that we have dedicated to meeting the great needs of our people — from the new-born infant to the oldest adult.

Washington may be retreating from meeting those needs, but North Carolina will not retreat!

We will maintain our commitment to helping mothers and their babies and to preventing mental retardation in children.

We will maintain our commitment to day care, and we will give special attention to the problems of working women. I will sponsor a statewide conference this year on women and the economy.

We must find some additional funds and provide more support for community mental health programs.

And, working hand in hand with private businesses and individuals, we will continue to bring art, music, drama, dance and literature into the life of our communities. We will open the new Art Museum. We will keep our Symphony sound. And we will make North Carolina's observance of the 400th anniversary our showcase to the nation.

That observance will be more than a tourist attraction. It will be a time to remind us of our beginnings, to renew our faith in America and in ourselves and to rededicate ourselves to the ideals of liberty, equality and opportunity.

It will be a time to examine whether we are worthy of the spirit and courage of the men and women who crossed an ocean to make a new beginning and, in time, to build a new world.

It will be a time to recall that America was not built on small dreams and short-sighted vision. It was not built on governments and tax money alone.

It was built by men and women who fought and struggled and loved and sometimes lost, men and women who had hope in the face of hopelessness, courage in the face of fear, and faith in God in the face of despair.

I believe we are worthy of those who came before us, and I believe we shall be worthy of those yet to come.

It is our turn now.

This nation has always lived in the future, believing that today will be better than yesterday and tomorrow, better still. Let us not allow our children and our grandchildren to lose that hope and optimism.

That is our challenge, that is our historic opportunity, and that is the greatest gift we can give all the generations of North Carolinians yet to come.

SPECIAL MESSAGE ON CRIME
BY GOVERNOR JAMES B. HUNT, JR.

Tuesday, January 25, 1983

When I delivered my State of the State Address to you last week, I spoke of a strategy to protect the people of North Carolina against the enemy of economic recession — unemployment, loss of income, bankruptcy and hardship.

Today, in the fourth Special Message on Crime that I have delivered to the General Assembly, I will speak to you about a strategy to protect our people against another enemy — an enemy that would invade their homes and businesses, an enemy that would take away what they have worked for and earned, an enemy that would threaten the lives of our familes and every single person in North Carolina. That enemy is crime.

North Carolina has declared war on crime. And, this year, we must step up our offensive.

No state in this nation has had a more impressive record in passing laws to reduce crime than we have.

Since 1977, this administration, the General Assembly, our criminal justice system and the law enforcement officers in this hall today have built a powerful foundation for a safer North Carolina.

We have established a Cabinet-level Department of Crime Control and Public Safety.

We have provided the best deterrent there is to crime — swift and sure justice.

We have passed a law requiring speedy trials. No longer can a criminal escape punishment by delaying judgment.

We have passed a law that makes sentences more certain. No longer can a criminal shop around for a slap on the wrist.

We have passed laws that require mandatory jail terms for armed robbers, drug smugglers and hardened criminals.

We have made drug paraphernalia illegal, and, just as we promised to do two years ago, we have put the "head shops" out of business in North Carolina.

We have put prisoners to work on the roads.

We have reinstated the death penalty for first-degree murder.

We are paying the medical expenses of rape victims, and we are committed to protecting the victims of family violence.

We deal with the white-collar criminal just like we deal with any criminal, and we have passed the toughest law in the country against bid-rigging.

And the people of North Carolina have organized Community Watch and Crime-Stoppers programs to prevent crime. They have guided young people away from a life of crime. They have made their communities, their businesses and their homes safer against crime.

We are turning the tide against the forces of crime. North Carolina is the 10th most populous state in the nation, but our crime rate ranks 39th amoung the 50 states.

But we cannot rest on the record. We cannot rest until every single person in North Carolina is safe from the young hood on drugs, the rapist who lurks in the shadows and the violent criminal who is out on bail.

And, this year, we must recognize that the most common murderer in North Carolina is the drunk driver. In 1981, drunk drivers claimed more lives than all the murders reported in our state.

It is time that we cracked down on what has almost become a form of socially accepted murder. It is time that we got the drunk driver off the road in North Carolina.

Last night, I went before the people of North Carolina on statewide television to explain the Safe Roads Act and to ask for their support. The demands for action are coming from the people — especially those whose lives have been shattered by a horrifying phone call telling them that a loved one will never come home again.

The Safe Roads Act will save lives. It was carefully developed by the Governor's Task Force on Drunken Drivers, which was chaired by Jack Stevens of Asheville, one of the

most respected former members of this body and an outstanding attorney. Its members included legislators, leaders in business, civic life, the law, law enforcement and the clergy.

They made an exhaustive study of our present laws. They went out and heard from the people in public hearings across the state.

They have developed a plan that is tough, comprehensive and effective.

If you enact that plan into law, you will be telling the drunk driver that, in North Carolina, the free ride across the center line is over.

The Safe Roads Act makes a series of important changes in our laws:

— It makes it easier to convict a drunk driver, and it eliminates plea bargaining.

— It guarantees a jail term for serious offenders.

— It gives judges very strict guidelines for sentencing in all cases.

— It requires jail or community service or loss of a driver's license — plus a fine — in every case.

— It continues the one-year revocation by the State Department of Motor Vehicles.

— It makes it harder for a drunk driver to get his license back.

— It requires the state to publish a report card on how every county, every judge and every district attorney handles drunk-driving cases.

— It gives the magistrate the power to take away a drunk driver's license for 10 days — right on the spot.

— It gives the magistrate the power to detain a drunk driver for up to 24 hours, to keep him from hurting himself and others.

— It gives the judge the power to impound a repeat offender's car.

— It requires the problem drinker to get professional help.

I know that some parts of this bill are controversial. But they are constitutional, they are necessary, they are right and they will save lives.

It is already illegal for a bar to serve a drink to a minor or a person who is already drunk. Making bars subject to a civil suit will hit them where it hurts most — in the pocketbook. These establishments should be more careful about who they serve, and they are in a position to save lives.

I support raising the minimum age for drinking beer and wine from 18 to 19.

I would not oppose raising it to 21. But I think our primary goal should be getting it out of the high schools. And 19 is adequate, given so many other tough provisions in the law against teenagers driving and drinking.

A 16- or 17-year-old caught with any amount of alcohol or drugs in their blood would lose their license until they were 18. And they would get a fine of up to $100 and up to 60 days in jail.

But we have to change more than laws. We have to change minds and hearts and attitudes. This legislature can make a dramatic start this year, and our people will be grateful.

Our philosophy in North Carolina is to make the punishment fit the crime and protect our people.

This year, in addition to providing tougher punishment for the drunk driver, I hope you will provide tougher punishment for other criminals — like those who go free on bail and commit another crime, and those young people who are just as tough and as mean as criminals twice their age.

Too many dangerous criminals are going free on bail, and it is time to put a stop to it.

Today, a judge can deny bail only when an offender is charged with a capital crime.

But what about the criminal who is arrested, set free on bail and goes out and commits another crime?

And what about the assailant who threatens to kill a woman he viciously raped if she goes to the police and testifies against him?

Those people don't have any business being out on the street. I urge you to give the judge the power to deny them bail and to keep them locked up to protect the people of North Carolina!

And the youthful offender. Some of them are just kids who made a mistake and can still be saved. The secret to keeping them out of court and out of prison is to set them straight before it is too late.

That is why we created the Executive Cabinet on Juveniles, and that is why this legislature established community-based alternative programs throughout North Carolina. We are committed to helping young people who can be helped and reaching those who can be reached.

We will continue reaching out to them with a helping hand.

But some young people are criminals who can be reached only with a strict hand.

Since 1976, total arrests of juveniles have declined by 28 percent. But, arrests of juveniles for felonies have *increased* by the same percentage.

Not long ago, in Fayetteville, a 15-year-old boy was charged with abducting a woman at gunpoint in a convenience store, raping her and almost killing her.

A few years ago, here in Wake County, four teenagers — one of them 13 years old and another, 14 — beat an elderly woman to death to get her Social Security check.

They aren't just kids. They're criminals. And they ought to be treated that way.

But our present law doesn't let us treat them that way. The only choice a judge has today is to send those kids to training school for an indeterminate sentence, which averages about 10 months, or to put them in prison with adults.

Often, neither choice is a good one. Our judges need to be able to send these young criminals to training schools for a set period of time — not an indeterminate sentence that means they can be turned loose right after they arrive.

If a young person commits a serious felony, it ought to stay on his record forever. And the judge should be able to see the juvenile record of an adult offender he is getting ready to sentence. Our present laws prohibit this, and they should be changed.

We ought to let judges order parents to participate in treatment programs for young offenders. And schools should be required to have strong, tough discipline programs. Discipline must begin in the home and in the school.

When we sentence the criminal, we shouldn't forget the victim.

North Carolina does a better job than any other state when it comes to making the criminal pay restitution to his victim. But if we are really going to get serious about putting the victim first, we have got to make the victim first to be paid — before the court costs and before anything else. That is the only way we have of showing the victim that we care. In the last legislature, you moved the victim up to fourth in line to be paid. This year I urge you to put them at the head of the line!

And, just as soon as we can afford it, I believe North Carolina should compensate victims of armed robbery for their medical expenses.

A recent decision by the North Carolina Supreme Court demonstrated that we must strengthen our law against armed robbery. Any use of a gun in an armed robbery should put that criminal in jail for a minimum of seven years.

Despite hundreds of pleas, I have not commuted *any* armed robbery sentences as Governor, except for two cases recommended by the SBI.

The purpose of punishment is deterrence, preventing crime. Sometimes the best form of deterrence is a tough prison sentence. Sometimes it's ordering an offender to do community service work to repay his victim and society.

Sometimes, alternative forms of punishment are best for nonviolent offenders. Our judges are making these alternatives part of probation today. We have 19 special alternative-punishment programs in place today in North Carolina, and we will have 25 by July 1.

We are giving careful study to the report of the Citizens Commission on Alternatives to Incarceration, which was chaired by Judge Willis Whichard, a respected former member of the General Assembly.

We ought to use every innovative idea that will keep people out of prison in the first place and help them become taxpayers instead of tax burdens.

We should consider using training schools to house several hundred younger prisoners, and we must make better use of existing state facilities, like Dix Hospital, to meet special needs in our prisons.

Since 1977, we have built 5,000 new prison beds in North Carolina. We do not want to build any more prisons than we *have* to. But we are serious about protecting our people, and the criminals need to know that we will build all the prisons we *need* to protect the people of North Carolina against them.

And we ought to protect these law enforcement officers against criminals, too. We need to plug a loophole in our law that, in some cases, does not make it a crime to use force in resisting arrest.

These officers put their lives on the line for the rest of us every day, and they deserve to have the law of the State of North Carolina standing behind them.

To do all of this, to protect our people and our law enforcement officers, to see that the punishment fits the crime and the criminal, we must see that our courts operate efficiently and effectively.

We need to take minor traffic cases off the crowded court calendars, so they can be devoted to serious criminal cases, like drunk driving.

We need to eliminate unwarranted, costly and time-consuming appeals. And, when the state and the defendant both agree to trial before a judge, we should not require jury trials.

All of this has one goal — protecting the people of North Carolina against crime.

Every single citizen in this state has a right to be safe.

No older person should have to be afraid to walk outside in the evening. No woman should have to be afraid to answer a knock at the door. No family should have to be afraid to go to the store.

You and I have a responsibility to those people. And you and I have a historic opportunity.

History will remember these years as a time when North Carolina not only taught every child to read and helped adults find good jobs. We will also record that this was the time when we began to turn back a wave of crime that threatened to engulf our entire nation and our entire society.

This is a battle we have fought in the courtroom, in the jailhouses, in the streets, in the schools, in our homes — in these very halls.

It is a battle we have fought for the people of North Carolina. It is a battle against fear and for freedom. It is a battle we can win.

Let us make it our legacy — a safer North Carolina for our children and all the generations yet to come.

Thank you.

H. R. 27, A HOUSE RESOLUTION ADOPTING THE PERMANENT RULES OF THE 1983 SESSION OF THE NORTH CAROLINA HOUSE OF REPRESENTATIVES.

Be it resolved by the House of Representatives:

Section 1. The permanent rules of the 1983 Session shall read as follows:

RULES OF THE 1983 HOUSE OF REPRESENTATIVES
GENERAL ASSEMBLY OF NORTH CAROLINA

I. Order of Business, 1-5
II. Conduct of Debate, 6-12
III. Motions, 13-19
IV. Voting, 20-25
V. Committees, 26-30
VI. Handling of Bills, 31-44
VII. Legislative Officers and Employees, 45-49
VIII. Privileges of the Hall, 50-53
IX. General Rules, 54-61

I. ORDER OF BUSINESS

RULE 1. *Convening Hour.*—The House shall convene each legislative day at the hour fixed by the House. In the event the House adjourns on the preceding legislative day without having fixed an hour for reconvening, the House shall convene on the next legislative day at 1:30 p.m.

RULE 2. *Opening the Session.*—At the convening hour on each legislative day the Speaker shall call the members to order and shall have the session opened with prayer.

RULE 3. *Quorum.*—(a) A quorum consists of a majority of the qualified members of the House.

(b) Should the point of a quorum be raised, the doors shall be closed and the Clerk shall call the roll of the House, after which the names of those not responding shall again be called. In the absence of a quorum, fifteen members are authorized to compel the attendance of absent members and may order that absentees for whom no sufficient excuses are made be taken into custody wherever they may be found by special messenger appointed for that purpose.

RULE 4. *Approval of Journal.*—(a) The Committee on Rules and Operation of the House shall cause the Journal of the House to be examined daily before the hour of convening to determine if the proceedings of the previous day have been correctly recorded.

(b) Immediately following the opening prayer and upon appearance of a quorum, the Speaker shall call for the Journal report by the Chairman of the Committee on Rules and Operation of the House or by a Representative designated by the Chairman as to whether the proceedings of the previous day have been correctly recorded. Without objection, the Speaker shall cause the Journal to stand approved.

RULE 5. *Order of Business of the Day.*—After the approval of the Journal of the preceding day, the House shall proceed to business in the following order:

(1) The receiving of petitions, memorials and papers addressed to the General Assembly or to the House;

(2) Reports of standing committees;

(3) Reports of select committees;

(4) First reading and reference to committee of bills and resolutions;

(5) Messages from the Senate;

(6) Concurrence with Senate amendments or Senate committee substitutes;

(7) The unfinished business of the preceding day;

(8) Calendar (each category in accordance with Rule 40):

(a) Local bills (roll call) third reading

(b) Local bills (roll call) second reading

(c) Local bills third reading

(d) Local bills second reading

(e) Public bills (roll call) third reading

(f) Public bills (roll call) second reading

(g) Public bills and resolutions, third reading

(h) Public bills and resolutions, second reading;

(9) Reading of Notices and Announcements; but messages and motions to elect officers shall always be in order.

II. CONDUCT OF DEBATE

RULE 6. *Duties and Powers of the Speaker.*—The Speaker shall have general direction of the Hall. He may name any member to perform the duties of the Chair, but substitution shall not extend beyond one day, except in the case of sickness or by leave of the House.

RULE 7. *Obtaining Floor.*—(a) When any member desires recognition for any purpose, he shall rise from his seat and respectfully address the Speaker. No member shall proceed until recognized by the Speaker.

(b) When a member desires to interrupt a member having the floor, he shall first obtain recognition by the Speaker and permission of the member occupying the floor, and when such recognition and permission have been obtained, he may propound a question to the member occupying the floor; but he shall not otherwise interrupt the member having the floor, except as provided in subsection (c) of this rule; and the Speaker shall, without the point of order being raised, enforce this rule.

(c) A member who has obtained the floor may be interrupted only for the following reasons:

1. a request that the member speaking yield for a question,

2. a point of order,

3. a parliamentary inquiry, or

4. a question of privilege.

RULE 8. *Questions of Privilege.*—Upon recognition by the Speaker for that purpose, any member may speak to a question of privilege for a time not to exceed three (3) minutes. Questions of privilege shall be, first those affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings; second, the rights, reputation, and conduct of members, individually, in their representative capacity only; and shall have precedence of all other questions, except motions to adjourn. Privilege may not be used to explain a vote or debate a bill. The Speaker shall determine if the question is one of privilege and shall, without the point of order being raised, enforce this rule.

RULE 9. *Points of Order.*—(a) The Speaker shall decide questions of order and may speak to points of order in preference to other members arising from their seats for that purpose. Any member may appeal from the ruling of the Chair on questions of order; on such appeal no member may speak more than once, unless by leave of the House. A two-thirds (2/3) vote of the members present shall be necessary to sustain any appeal from the ruling of the Chair.

(b) When the Speaker calls a member to order, the member shall take his seat except that a member called to order may clear a matter of fact, or explain, but shall not proceed in debate so long as the decision stands. If the member appeals from the ruling of the Chair and the decision by a two-thirds (2/3) vote of the members present be in favor of the member called to order, he may proceed; if otherwise, he shall not; and if the case, in the judgment of the House, requires it, he shall be liable to censure by the House.

RULE 10. *Limitations on Debate.*—(a) No member shall speak on, debate, or solicit cosponsors for, a bill or resolution at its first reading.

(b) No member shall speak more than twice on the main question, nor longer than 30 minutes for the first speech and 15 minutes for the second speech; nor shall he speak more than once upon an amendment or motion to reconsider, commit, appeal or postpone, and then not longer than 10 minutes.

(c) A member may speak only once and for not more than 20 minutes on the question of the adoption of a minority report.

(d) The House, by consent of a majority of the members present, may suspend the operation of subsections (b) and (c) of this rule during any debate on any particular question before the House.

RULE 11. *Reading of Papers*—When there is a call for the reading of the text of a paper which has been presented to the House, and there is objection to such reading, the question shall be determined by a majority vote of the members of the House present. Except for protests permitted by the Constitution, no member may have material printed in the Journal until said material has been presented to the House and the printing approved by the House, and said material shall not exceed 1,000 words.

RULE 12. *General Decorum*—(a) The Speaker shall preserve order and decorum.

(b) Decency of speech shall be observed and disrespect to personalities carefully avoided.

(c) When the Speaker is putting any question, or addressing the House, no person shall speak, stand up, walk out of or cross the House, nor when a member is speaking, engage in disruptive discourse or pass between the member and the Chair.

(d) Food or beverages shall not be permitted on the floor of the House.

(e) The reading of newspapers shall not be permitted on the floor of the House while the House is in session.

(f) Smoking or the consumption of food or beverages shall not be permitted in the galleries at any time.

(g) Special recitals, performances by musicians or other groups shall not be permitted on the floor of the House and special guests of members of the House shall not be permitted on the floor of the House.

(h) Members shall observe appropriate attire, coat and tie for male members and dignified dress for female members.

III. MOTIONS

RULE 13. *Motions Generally.*—(a) Every motion shall be reduced to writing, if the Speaker or any two members request it.

(b) When a motion is made, it shall be stated by the Speaker, or, if written, it shall be handed to the Chair and read aloud by the Speaker or Clerk before debate.

(c) After a motion has been stated by the Speaker or read by the Speaker or Clerk, it shall be in the possession of the House; but it may be withdrawn before a decision or amendment, except in case of a motion to reconsider, which motion, when made by a member, shall be in possession of the House and shall not be withdrawn without leave of the House.

RULE 14. *Motions, Order of Precedence.*—When there are motions before the House, the order of precedence is as follows:

To adjourn

To lay on the table

To postpone indefinitely

Previous question

To postpone to a day certain

To commit

To amend an amendment

To amend

To substitute

To pass the bill

No motion to lay on the table, to postpone indefinitely, to postpone to a day certain, to commit or to make a particular amendment, being decided, shall be again allowed at the same stage of the bill or proposition.

RULE 15. *Motion to Adjourn*—(a) A motion to adjourn shall be seconded before the motion is put to the vote of the House.

(b) A motion to adjourn shall be decided without debate, and shall always be in order, except when the House is voting or some member is speaking; but a motion to adjourn shall not follow a motion to adjourn until debate or some other business of the House has intervened.

RULE 16. *Motion to Table*—(a) A motion to table shall be seconded before the motion is put to the vote of the House and is in order except when a motion to adjourn is before the House.

(b) A motion to table shall be decided without debate.

(c) A motion to table a bill shall constitute a motion to table the bill and all amendments thereto.

(d) When the question before the House is the adoption of an amendment to a bill or resolution, a motion to table the bill is not in order, and a motion to table an amendment applies to the amendment only, and the motion may not expressly or by implication or construction be expanded to include a motion to table the bill also.

(e) When a question has been tabled, it shall not thereafter be considered except on motion to reconsider under Rule 18, or to remove from the table approved by a two-thirds (2/3) vote.

RULE 17. *Motion to Postpone Indefinitely.*—A motion to postpone indefinitely is in order except when a motion to adjourn or to lay on the table is before the House. However, after one motion to postpone indefinitely has been decided, another motion to postpone indefinitely shall not be allowed at the same stage of the bill or proposition. When a question has been postponed indefinitely, it shall not thereafter be considered except on motion to reconsider under Rule 18, or to place on the favorable calendar approved by a two-thirds (2/3) vote.

RULE 18. *Motion to Reconsider*—(a) When a question has been decided, it is in order for any member to move for the reconsideration thereof, on the same or the succeeding legislative day; provided that if the vote by which the motion was originally decided was taken by a recorded vote, only a member of the prevailing side may move for reconsideration.

(b) A motion to reconsider shall be determined by a majority vote, except a motion to reconsider a vote upon a motion to table, a motion to postpone indefinitely, a motion to remove a bill from the unfavorable calendar, a motion that a bill be read twice on the same day, or a motion to remove from the table, which shall require a two-thirds (2/3) vote.

RULE 19. *Previous Question*—(a) The previous question may be called only by the member submitting the report on the bill or other matter under consideration, by the member introducing the bill or other matter under consideration, or by the member in charge of the measure, who shall be designated by the Chairman of the committee reporting the same to the House at the time the bill or other matter under consideration is reported to the House or taken up for consideration.

(b) The previous question shall be as follows: "Shall the main question now be put?" When the call for the previous question has been decided in the affirmative by a majority vote of the House, the "main question" is on the passage of the bill, resolution or other matter under consideration.

(c) The call for the previous question shall preclude all motions, amendments and debate, except the motion to adjourn or motion to table or motion to postpone indefinitely made prior to the determination of the previous question.

(d) If the previous question is decided in the negative, the main question remains under debate.

IV. VOTING

RULE 20. *Use of Electronic Voting System.*—(a) Votes on the following questions shall be taken on the electronic voting system, and the ayes and noes shall be recorded on the Journal:

(1) All questions on which the Constitution of North Carolina requires that the ayes and noes be taken and recorded on the Journal.

(2) All measures affecting a fee imposed by the State or any subdivision thereof.

(3) All questions on which a call for the ayes and noes under Rule 24(a) has been sustained.

(4) Both second and third readings of bills proposing amendment of the Constitution of North Carolina or ratifying resolutions amending the Constitution of the United States.

(b) Votes on the following questions shall be taken on the electronic voting system:

(1) Second reading of all public bills, all amendments to public bills offered after second reading, third reading if a public bill was amended after second reading or if the reading occurs on a day or days following the second reading, all conference reports on public bills, all motions to lay public bills on the table, and all motions to postpone public bills indefinitely.

(2) Upon a call for division.

(3) Any other question upon direction of the Speaker or upon motion of any member supported by one-fifth (1/5) of the members present.

(c) When the electronic voting system is used, twenty seconds shall be allowed for voting on the question before the House, unless the Chair shall direct otherwise. The system shall be set to close automatically when that time has expired. Once the system is locked, the vote shall be recorded and printed.

(d) The voting station at each member's desk in the Chamber shall be used only by the member to which the station is assigned. Under no circumstances shall any other person vote at a member's station. It is a breach of the ethical obligation of a member either to request that another person vote at the requesting member's station, or to vote at another member's station. The Speaker shall enforce this rule without exception.

(e) When the electronic voting system is used, the Speaker shall state the question and shall then state substantially the following: "All in favor vote 'aye'; all opposed vote 'no'; the Clerk will open the vote." In order to have the vote recorded, the member must vote by the electronic voting system within the time allowed for that vote, unless the voting station assigned to a member is malfunctioning. The Speaker shall enforce this rule without exception. After the allotted time for voting has elapsed, the Speaker shall say: "The Clerk will now lock the machine and record the vote." After the machine is locked and the vote recorded, the Speaker shall announce the vote and declare the result.

(f) One copy of the machine printout of the vote record of all votes taken on the electronic system shall be filed in the office of the Principal Clerk, and one copy shall be filed in the Legislative Library where it shall be open to public inspection.

(g) When the Speaker ascertains that the electronic voting system is inoperative before a vote is taken or while a vote is being taken on the electronic system, he shall announce that fact to the House and any partial electronic system voting record shall be voided. In such a case, if the Constitution of North Carolina or the Rules of the House require a call of the ayes and noes, the Clerk shall call the roll of the House, and the ayes and noes shall be taken manually and shall be recorded on the Journal. All roll call votes shall be taken alphabetically. All other votes shall be taken by voice vote. If, after a vote is taken on the electronic system, it is discovered that a malfunction caused an error in the electronic system printout, the Speaker shall direct the Reading Clerk and the Principal Clerk to verify and correct the printout record and so advise the House.

(h) For the purpose of identifying motions on which the vote is taken on the electronic system, the motions are coded as follows:

1. To adjourn
2. To lay on the table
3. To postpone indefinitely
4. Previous question
5. To postpone to a day certain
6. To commit
7. To amend an amendment
8. To amend
9. To substitute

10. To reconsider

11. To concur or not concur

12. Miscellaneous

RULE 21. *Voice Votes; Stating Questions.*—(a) When the electronic voting system is not used, the Speaker shall rise and put a question.

(b) The question shall be put in this form, namely, "Those in favor (as the question may be) will say 'Aye'," and after the affirmation voice has been expressed, "Those opposed will say 'No'."

RULE 22. *Determining Questions.*—(a) Unless otherwise provided by the Constitution of North Carolina or by these rules, all questions shall be determined by a simple majority of the members present and voting.

(b) No member may vote unless he is in the chamber when the question is put. This subsection of this rule cannot be suspended.

RULE 23. *Voting by Division.*—Any member may call for a division of the members upon the question before the result of the vote has been announced. Upon a call for a division, the Speaker shall cause the number voting in the affirmative and in the negative to be determined. Upon a division and count of the House on any question, no member away from his seat shall be counted.

RULE 24. *Roll Call Vote.*—(a) Before a question is put, any member may call for the ayes and noes. If the call is sustained by one-fifth (1/5) of the members present, the question shall be decided by the ayes and noes upon a roll call vote.

(b) Every member who is in the Hall of the House when the question is put shall vote upon a call of the ayes and noes, unless excused pursuant to Rule 24.1A.

RULE 24.1A. *Excuse From Deliberations and Voting on a Bill.*—(a) Any member shall upon request be excused from the deliberations and voting on a particular bill, but to do so must make that request after the second reading of the bill and before any motion or vote on the bill or any amendment thereto. If the reason for the request arises at some point later in the proceedings, the request may be made at that time.

(b) The member may make a brief statement of the reasons for making that request. The member may send forward to the Principal Clerk, on a form provided by the Clerk, a concise statement of the reason for the request, and the Clerk shall include this statement in the Journal.

(c) The member so excused shall not debate the bill or any amendment to the bill, vote on the bill, offer or vote on any amendment to the bill, or offer or vote on any motion concerning the bill at that reading, any subsequent reading, or any subsequent consideration of the bill.

(d) A member may request that his excuse from deliberations on a particular bill be withdrawn.

RULE 24.1B. *Separation of Propositions.*—Any member may call for a question to be divided into two or more propositions to be voted on separately, and the Speaker shall determine whether the question admits of such a division.

RULE 25. *Voting by Speaker.*—In all elections the Speaker may vote. In all other instances he may exercise his right to vote, or he may reserve this right until there is a tie in which event he may vote, but in no instance may he vote twice on the same question.

V. COMMITTEES

RULE 26. *Committees Generally.*—(a) All standing and select committees shall be appointed by the Speaker. The Speaker shall appoint all standing committees at the beginning of the session or, in the case of a newly-created committee, within 10 days of its creation.

(b) Ten days after the Speaker makes his initial appointments to a standing or select committee, he shall not increase the membership of that committee, but may fill any vacancies which occur on that committee.

(c) The first member announced on each committee shall be Chairman, and where the Speaker so desires he may designate a cochairman and one or more vice-chairmen.

(d) Either the Chairman or the Acting Chairman, designated by the Chairman or by the Speaker, and five other members of the committee, or a majority of the committee, whichever is fewer, shall constitute a quorum of that committee.

(e) In any joint meeting of the Senate and House Committees, upon request of any two House committee members, the House committee shall vote separately on the question before the committee.

RULE 27. *List of Standing Committees.*—The standing committees are:

Aging.

Agriculture.

Alcoholic Beverage Control.

Appropriations Base Budget.

Appropriations Base Budget Committee on Education.

Appropriations Base Budget Committee on Justice and Public Safety.

Appropriations Base Budget Committee on Human Resources.

Appropriations Base Budget Committee on General Government.

Appropriations Base Budget Committee on Natural and Economic Resources.

Appropriations Expansion Budget.

Appropriations Expansion Budget Committee on Education.

Appropriations Expansion Budget Committee on Justice and Public Safety.

Appropriations Expansion Budget Committee on Human Resources.

Appropriations Expansion Budget Committee on General Government.

Appropriations Expansion Budget Committee on Natural and Economic Resources.

Banks and Thrift Institutions.

Commercial Fishing.

Commissions and Schools for the Blind and Deaf.

Congressional Redistricting.

Constitutional Amendments.

Corporations.

Corrections.

Courts and Administration of Justice.

Cultural Resources.

Economy.

Education.

Election Laws.

Employment Security.

Energy.

Finance.

Governmental Ethics.

Health.

Higher Education.

Highway Safety.

Housing.

Human Resources.

Insurance.

Judiciary No. I.

Judiciary No. II.

Judiciary No. III.

Judiciary No. IV.

Law Enforcement.

Legislative Redistricting.

Local Government No. I.

Local Government No. II.

Manufacturers and Labor.

Mental Health.

Military and Veterans' Affairs.

Natural and Economic Resources.

Pensions and Retirement (Refer to G. S. 120-111.1).

Public Utilities.

Rules and Operation of the House.

Small Business.

State Government.

State Personnel.

State Properties.

Transportation.

University Board of Governors Nominating Committee.

Water and Air Resources.

Wildlife Resources.

Redistricting Committee.—In the session next after the federal decennial census, the Speaker shall appoint a standing committee or committees on redistricting.

RULE 28. *Committee Meetings.*—(a) Standing committees and subcommittees of standing committees shall be furnished with suitable meeting places pursuant to a schedule adopted by the Committee on Rules and Operation of the House. Select committees shall be furnished with suitable meeting places as their needs require by the Chairman of the Committee on Rules and Operation of the House.

(b) Subject to the provisions of the subsection (c) of this Rule, committees and subcommittees thereof shall permit other members of the General Assembly, the press, and the general public to attend all sessions of said committees or subcommittees.

(c) The Chairman or other presiding officer shall have general direction of the meeting place of the committee or subcommittee and, in case of any disturbance or disorderly conduct therein, or if the peace, good order, and proper conduct of the legislative business is hindered by any person or persons, the Chairman or presiding officer shall have power to exclude from the session any individual or individuals so hindering the legislative business or, if necessary, to order the meeting place cleared of all persons not members of the committee or subcommittee.

(d) Procedure in the committees shall be governed by the rules of the House, so far as the same may be applicable to such procedure. Before a question is put, any member may call for the ayes and noes. If the call is sustained by one-fifth (1/5) of the members present, the question shall be decided by the ayes and noes upon a roll call vote. All roll call votes shall be taken alphabetically.

(e) No committee or subcommittee shall meet on any day when the House shall not convene except by permission of the Speaker or by approval of the House by resolution adopted by a majority vote of the House.

(f) No committee or subcommittee shall meet during any session of the House and all committee and subcommittee meetings shall adjourn no later than 15 minutes preceding a regular session of the House.

(g) Any call or notice of a standing committee meeting between legislative sessions shall be mailed to each member of the committee by certified mail at least five days prior to such meeting.

(h) During committee meetings the Chairman may exercise his right to vote, or he may reserve this right until there is a tie, in which event he may vote, but in no instance may the Chairman vote twice on the same question.

RULE 29. *Notice of Committee Meetings and Committee Hearings; Minutes.*—Public notice of all standing committee meetings shall be given in the House. The Chairman of

the committee shall notify or cause to be notified the sponsor of each bill which is set for hearing or consideration before the committee as to the date, time and place of that meeting.

RULE 29.1. *Public Hearings.*—(a) Any member may request in writing a public hearing on a public bill. Refusal to grant a member's request may be appealed to the Speaker. Requests by other than members may be granted in the discretion of the Chairman. Notice shall be given not less than five calendar days prior to public hearings. These notices shall be issued as information for the press and information shall be posted in the places designated by the Principal Clerk.

(b) Persons desiring to appear and be heard at a public hearing shall submit their request to the Chairman of the committee. The committee Chairman may designate one or more members to arrange the order of appearance of interested parties. A brief, written statement of testimony may be submitted to the committee without oral presentation and shall be incorporated in the minutes of the public hearing.

(c) *Committee Minutes to Legislative Library.* The Chairman of a committee shall insure that written minutes are compiled for each of the committee's meetings. The minutes shall indicate the members present and the actions taken by the committee at the meeting. Not later than 20 days after the adjournment of each session of the General Assembly, the Chairman shall deliver the minutes to the Legislative Library. The Speaker of the House may grant a reasonable extension of time for filing said minutes upon application of the committee Chairman.

RULE 30. *Committee of the Whole House.*—(a) A Committee of the Whole House shall not be formed, except by suspension of the rules, if there be objection by any member.

(b) After passage of a motion to form a Committee of the Whole House, the Speaker shall appoint a Chairman to preside in committee, and the Speaker shall leave the Chair.

(c) The rules of procedure in the House shall be observed in the Committee of the Whole House, so far as they may be applicable, except the rule limiting the time of speaking and the previous question.

(d) In the Committee of the Whole House a motion that the committee rise shall always be in order, except when a member is speaking, and shall be decided without debate.

(e) When a bill is submitted to the Committee of the Whole House, it shall be read and debated by sections, leaving the preamble to be last considered. The body of the bill shall not be defaced or interlined, but all amendments, noting the page and line, shall be duly entered by the Clerk on a separate paper as the same shall be agreed to by the committee, and be so reported to the House. After report, the bill shall again be subject to be debated and amended by sections before a question on its passage be taken.

VI. HANDLING OF BILLS

RULE 31. *Introduction of Bills and Resolutions.*—(a) All bills and resolutions shall be introduced by submitting same to the Principal Clerk's office on the legislative day prior to the first reading and reference thereof according to the following schedule: by 8:30 o'clock p.m. each Monday, by 3:00 o'clock p.m. each Tuesday, Wednesday, Thursday, and Friday.

(b) Bills shall not become resolutions provided the Senate has a similar rule. Resolutions shall not become bills. Resolutions are not law but may be used when a law is not necessary for the purpose contained therein. Resolutions shall not be used to appropriate funds for

any purpose, but, for example, may be used to express opinions of the House, to create study commissions or committees or establish investigative committees, to honor deceased persons, and to adopt House rules and internal affairs. Resolutions cannot amend, repeal, or modify a statute; nor do they have life beyond the term of the Session during which they are adopted.

(c) Every bill or resolution shall be read in regular order of business, except upon permission of the Speaker or on the report of a committee.

(d) All bills and resolutions shall show in their captions a brief descriptive statement of the true substance of same, which captions may thereafter be amended; provided that third reading shall not be had on any bill or resolution on the same day that such caption is amended.

(e) A Substitute Bill shall be covered with the same color jacket as the original bill and shall be prefaced as follows:

"House Substitute for" or "House Committee Substitute for _____."

(f) House Resolutions need not be read more than twice.

(g) *Celebration, Commendation and Commemoration Resolutions.* All celebration, commendation, and commemoration resolutions, except those honoring the memory of deceased persons, shall be excluded from introduction in the House if the Senate has a substantially similar rule on these resolutions.

RULE 31.1. *Deadline on Introduction of Certain Bills.*—All local bills or bills prepared to be introduced for departments, agencies, or institutions of the State must be introduced not later than April 1 of the session year.

RULE 32. *Reference to Committee.*—Each bill, joint resolution, or House resolution not introduced on the report of a committee shall immediately upon its first reading be referred by the Speaker to such committee as he deems appropriate.

RULE 33. *Papers Addressed to the House.*—Petitions, memorials and other papers addressed to the House shall be presented by the Speaker. A brief statement of the contents thereof may be orally made by the introducer before reference to a committee, but such papers shall not be debated or decided on the day of their first being read unless the House shall direct otherwise.

RULE 34. *Introduction of Resolutions and Bills, Copies Required.*—(a) Whenever any resolution or bill is introduced, a duplicate copy thereof shall be attached thereto, and the Principal Clerk shall cause said duplicate copy to be numbered as the original resolution or bill is numbered, and shall cause the same to be available at all times to the member introducing the same.

(b). Numbering of House Bills shall be designated as "H. B. _____." (No. following). A Joint Resolution shall be designated as "H. J. R. _____." (No. following.) A House Resolution shall be designated as "H. R. _____." (No. following).

(c) Whenever any resolution or bill is filed for introduction, it shall be in a House bill jacket containing 30 copies and in the form designated by the Speaker. Any resolution or bill not accompanied by the required number of copies shall be immediately returned to the introducer. The Clerk shall stamp the copies with the number stamped upon the original bill.

RULE 35. *Duplicating of Bills.*—(a) The Legislative Services Officer shall cause such bills as are introduced to be duplicated in such numbers as may be specified by the

Speaker. The Legislative Services Officer shall cause one copy of each resolution and public bill for each legislator to be delivered to his clerk or secretary who shall place it in the appropriate notebook on the legislator's desk. If a legislator so requests, a second copy shall be delivered to his clerk or secretary who shall place it in the legislator's office. The remaining copies shall be placed in the Printed Bills Room and made available to the committees to which the bill is referred, to individual legislators on request, and to the general public.

(b) *Availability of Copies of Bills.* A public bill is a bill affecting 15 or more counties. A local bill is one affecting fewer than 15 counties. No public bill and, upon objection by a member, no local bill may be considered unless copies of the bill have been made available to the entire membership of the House.

RULE 36. *Report by Committee.*—All House bills and resolutions shall be reported from the committee to which referred, with such recommendations as the committee may desire to make except in the case where the principal introducer requests in writing to the Chairman of the committee that the bill not be considered. The Chairmen of the full Appropriations Committees may refer a bill or resolution to another appropriations committee specifically charged with the subject matter of the bill or resolution; the committee to which the bill or resolution is referred shall report the bill or resolution back to the full Appropriations Committees.

(a) *Favorable Report.* When a committee reports a bill with the recommendation that it be passed, the bill shall be placed on the favorable calendar for the next succeeding legislative day; except that committee substitutes for bills shall be placed on the favorable calendar for the second next succeeding legislative day after being reported. When a committee substitute is adopted and receives a favorable report by the committee, the committee chairman shall submit to the committee the question of an unfavorable report on the original bill. The committee's action, if any, on the original bill shall be reported at the same time the committee substitute is reported.

(b) *Report Without Prejudice.* When a committee reports a bill without prejudice, the bill shall be placed on the favorable calendar.

(c) *Postponed Indefinitely.* When a committee reports a bill with the recommendation that it be postponed indefinitely, and no minority report accompanies it, the bill shall be placed on the unfavorable calendar.

(d) *Unfavorable Report.* When a committee reports a bill with the recommendation that it be not passed, and no minority report accompanies it, the bill shall be placed on the unfavorable calendar.

(e) *Minority Report.* When a bill is reported by a committee with a recommendation that it be not passed or that it be postponed indefinitely, but it is accompanied by a minority report signed by at least one-fourth (1/4) of the members of the committee who were present and voting when the bill was considered in committee, the question before the House shall be: "The adoption of the minority report." If the minority report is adopted by majority vote, the bill shall be placed on the favorable calendar for consideration. If the minority report fails of adoption by a majority vote, the bill shall be placed on the unfavorable calendar.

RULE 37. *Removing Bill from Unfavorable Calendar.*—A bill may be removed from the unfavorable calendar upon motion carried by a two-thirds (2/3) vote. A motion to remove a bill from the unfavorable calendar is debatable.

RULE 38. *Reports on Appropriation and Revenue Bills.*—(a) All committees, other than the Committees on Appropriations, when favorably reporting any bill which carries an appropriation from the State, shall indicate same in the report, and said bill shall be referred to the Committees on Appropriations for a further report before being acted upon by the House. All committees, other than the Committee on Finance, when favorably reporting any bill which in any way or manner raises revenue, reduces revenue, levies a tax, or authorizes the issue of bonds or notes, whether public, public-local, or private, shall indicate same in the report, and said bill shall be referred to the Committee on Finance for a further report before being acted upon by the House.

(b) *Action on Amendment Before Re-Referral.* If any committee recommends adoption of an amendment or committee substitute of a bill which, under the rules of the House must be referred to the Committees on Appropriations or Committee on Finance, the amendment or committee substitute shall be considered and, if adopted, the amendment or substitute engrossed before the bill is re-referred.

RULE 39. *Recall of Bill from Committee.*—When a House bill has been introduced and referred to a committee, if after 10 legislative days the committee has failed to report thereon, then the introducer of the bill or some member designated by him may, after three legislative days' public notice given in the House and delivered in writing to the Chairman of the committee, on motion supported by a majority vote of the members present and voting, recall the same from the committee to the floor of the House for consideration and such action thereon as a majority of the members present may direct. This rule shall not be temporarily suspended without one day's notice on the motion given in the House and delivered in writing to the Chairman of the committee, and to sustain that motion two-thirds (2/3) of the members present and voting shall be required.

RULE 39.1. *Recall of Bill by the Senate.*—Upon a request by the Senate that a measure in the possession of the House be recalled and returned to the Senate, the question will be put 'Shall the measure be returned.' This rule will be effective only if the Senate has a substantially similar rule.

RULE 40. *Calendars and Schedules of Business.*—The Clerk of the House shall prepare a daily schedule of business, including the Calendar of Bills and Resolutions for consideration and debate that day, in accordance with the order of Business of the Day (Rule 5). The Clerk shall number all bills and resolutions in the order in which they are introduced. All bills and resolutions shall be taken up as they appear in each category (Rule 5(8)) in the order they were reported by committee; but the Committee on Rules and Operation of the House may at any time arrange the order of precedence in which bills may be considered.

RULE 41. *Reading of Bills.*—(a) Every bill shall receive three readings in the House prior to its passage. The first reading and reference to committee of a House bill shall occur on the next legislative day following its introduction. The first reading and reference to committee of a Senate bill shall occur on the next legislative day following its receipt on messages from the Senate. The Speaker shall give notice at each subsequent reading whether it be the second or third reading.

(b) No bill shall be read more than once on the same day without the concurrence of two-thirds (2/3) of the members present and voting; provided, no bill governed by Article II, Section 23 of the North Carolina Constitution or described in Rule 20 (a)(2) herein shall be read twice on one day under any circumstance.

RULE 42. *Effect of a Defeated Bill.*—(a) Subject to the provisions of subsection (b) of this rule, after a bill has

1. been tabled,

2. been postponed indefinitely,

3. failed to pass on any of its readings, or

4. been placed on the unfavorable calendar,

the contents of that bill or the principal provisions of its subject matter shall not be considered in any other measure originating in the Senate or originating thereafter in the House. Upon the point of order being raised and sustained by the Chair, that measure shall be laid upon the table, and shall not be taken therefrom except by a two-thirds (2/3) vote of the members present and voting.

(b) No local bill shall be held by the Chair to embody the contents of or the principal provisions of the subject matter of any statewide measure which has been laid on the table, has failed to pass on any of its readings, or has been placed on the unfavorable calendar.

RULE 43. *Amendments.*—No amendment to a bill before the House shall be in order unless the amendment is germane to the bill under consideration. A House amendment deleting a previously adopted House amendment shall not be in order.

Only one principal (first degree) amendment shall be pending at any one time. If a subsequent or substitute principal amendment shall be offered, the Speaker shall rule it out of order. However, any member desiring to offer a subsequent or substitute principal amendment in opposition to the pending amendment may inform the House by way of argument against the pending amendment that if it is defeated he proposes to offer another principal amendment, and he may then read and explain such proposed amendment.

Perfecting (or second degree) amendments may be offered and considered without limitation as to number, and in the event of multiple perfecting amendments, they shall be voted upon in inverse order.

RULE 43.1. *Engrossment.*—Bills and resolutions, except those making appropriations, which originate in the House and which are amended, shall be engrossed before being sent to the Senate.

RULE 43.2. *House Concurrence in Senate Amendments to House Bills.*—The House shall not concur in a Senate amendment to a bill originating in the House until the next legislative day after the day on which the House receives the Senate amendment.

RULE 43.3. *Committee Substitutes Adopted by the Senate to Bills Originating in the House.*—(a) Whenever the Senate has adopted a committee substitute for a bill originating in the House, and has returned the bill to the House for concurrence in that committee substitute, the House may not concur in that committee substitute until the next legislative day following the day on which the House receives that committee substitute.

(b) The Speaker may, and upon motion supported by a majority of the House present and voting shall, refer the bill to an appropriate committee for consideration of the committee substitute.

(c) The Speaker shall, in placing the bill on the calendar, rule whether the committee substitute is a material amendment under Article II, Section 23, of the State's Constitution which reads:

"*Revenue bills.*—No law shall be enacted to raise money on the credit of the State, or to pledge the faith of the State directly or indirectly for the payment of any debt, or to impose any tax upon the people of the State, or to allow the counties, cities, or towns to do so, unless the bill for the purpose shall have been read three several times in each House of the General Assembly and passed three several readings, which readings shall have been on three different days, and shall have been agreed to by each House respectively, and unless the yeas and nays on the second and third readings of the bill shall have been entered on the journal."

If the committee substitute was referred to committee, the committee shall:

i. report the bill with the recommendation either that the House concur or that the House do not concur; and

ii. advise the Speaker as to whether or not that committee substitute is a material amendment under Article II, Section 23, of the State's Constitution.

(d) If the committee substitute for a bill is not a material amendment, the question before the House shall be concurrence.

(e) If the committee substitute for a bill is a material amendment, the receiving of that bill on messages shall constitute first reading and the question before the House shall be concurrence on second reading. If the motion is passed, the question then shall be concurrence on third reading on the next legislative day.

(f) No committee substitute adopted by the Senate to a bill originating in the House may be amended by the House.

RULE 44. *Conference Committees.*—(a) Whenever the House shall decline or refuse to concur in amendments put by the Senate to a bill originating in the House, or shall refuse to concur in a substitute adopted by the Senate for a bill originating in the House or whenever the Senate shall decline or refuse to concur in amendments put by the House to a bill originating in the Senate, or shall refuse to concur in a substitute adopted by the House for a bill originating in the Senate, a conference committee may be appointed by the Speaker upon his own motion or shall be appointed upon request by the principal sponsor of the original bill, the chairman of the House Committee which reported the bill, or by the sponsor of the amendment in which the Senate refused to concur; and the bill under consideration shall thereupon go to and be considered by the joint conferees on the part of the House and Senate. In appointing members to conference committees the Speaker shall appoint no less than a majority of members who generally supported the House position as determined by the Speaker.

(b) Only such matters as are in difference between the two houses shall be considered by the conferees, and the conference report shall deal only with such matters. The conference report may be made by a majority of the House members of such conference committee and shall not be amended.

(c) If the conferees fail to agree, new conferees may be appointed. However, if either house refuses to adopt the report of its conferees, no new conferees may be appointed.

VII. LEGISLATIVE OFFICERS AND EMPLOYEES

RULE 45. *Elected Officers.*—(a) The House shall elect one of its members Speaker.

(b) The House shall elect one of its members Speaker pro tempore who shall perform such duties as the Speaker may assign and shall preside over the House in the absence or

incapacity of the Speaker and shall perform all of the duties of the Speaker until such time the Speaker may assume the Chair.

(c) The House shall elect a Principal Clerk, a Reading Clerk and a Sergeant-at-Arms, each of whom shall have and perform such duties and responsibilities not inconsistent with these Rules as the Speaker may assign. The Principal Clerk shall continue in office until another is elected.

RULE 46. *Assistants to Principal Clerk and Sergeant-at-Arms.*—The Principal Clerk and the Sergeant-at-Arms may appoint, with the approval of the Speaker, such assistants as may be necessary to the efficient discharge of the duties of their respective offices.

RULE 47. *Speaker's Clerk, Chaplain, and Pages.*—(a) The Speaker may appoint one or more clerks to the Speaker, a Chaplain of the House, and pages to wait upon the sessions of the House.

(b) When the House is not in session, the pages shall be under the supervision of the Supervisor of Pages.

(c) No member may have more than 10 persons designated as honorary pages.

RULE 48. *Committee Clerks and Secretaries.*—(a) Each committee shall have a clerk. The clerk to a committee shall serve as secretary to the Chairman of that committee.

(b) Each member shall be assigned a secretary, unless he has a committee clerk to serve as his secretary.

(c) The selection and retention of clerks and secretaries shall be the sole prerogative of the individual member or members. Such clerks and secretaries shall file initial applications for employment with the Principal Clerk and shall receive compensation as prescribed by the Legislative Services Commission. The employment period of clerks and secretaries shall commence not earlier than the convening date of the General Assembly and shall terminate not later than the final adjournment or recess of the General Assembly unless employment for an extended period is approved by the Speaker. The clerks and secretaries shall adhere to such uniform rules and regulations not inconsistent with these Rules regarding hours and other conditions of employment as the Legislative Services Commission shall fix by appropriate regulations.

RULE 49. *Compensation of Clerks and Secretaries.*—No clerk, laborer, or other person employed or appointed under Rules 47, 48, and 49 hereof shall receive during such employment, appointment, or service, any compensation from any department of the State government, and there shall not be voted, paid or awarded any additional pay, bonus or gratuity to any of them, but they shall receive only the pay now provided by law for such duties and services.

VIII. PRIVILEGES OF THE HALL

RULE 50. *Admittance to Floor.*—No person except members, officers and employees of the General Assembly and former members of the General Assembly who are not registered under the provisions of Article 9 of Chapter 120 of the General Statutes of North Carolina shall be allowed on the floor of the House during its session, unless permitted by the Speaker or otherwise provided by law.

RULE 51. *Admittance of Press.*—Reporters wishing to take down debates may be admitted by the Speaker, who shall assign such places to them on the floor or elsewhere, to effect this object, as shall not interfere with the convenience of the House. Reporters admitted to the floor of the House shall observe the same requirements of attire for members contained in Rule 12(h).

RULE 52. *Extending Courtesies.*—Courtesies of the floor, galleries or lobby shall be extended at the discretion of the Speaker and only by the Speaker. Requests by members to extend these courtesies shall be typewritten and delivered to the Speaker. No member shall orally ask the Speaker to extend these courtesies during the daily session.

RULE 53. *Order in Galleries and Lobby.*—In case of any disturbance or disorderly conduct in the galleries or lobby, the Speaker or other presiding officer is empowered to order the same to be cleared.

IX. GENERAL RULES

RULE 54. *Attendance of Members.*—No member or officer of the House shall absent himself from the service of the House without leave, unless from sickness or disability.

RULE 55. *Documents to be Signed by the Speaker.*—All acts, addresses, and resolutions and all warrants and subpoenas issued by order of the House shall be signed by the Speaker or other presiding officer.

RULE 56. *Printing or Reproducing Materials.*—There shall be no printing or reproducing of paper(s) that are not legislative in essence except upon approval of the Speaker.

RULE 57. *Placement or Circulation of Materials.*—Persons other than members of the General Assembly, officers or staff thereof shall not place or cause to be placed any materials on members' desks in the House Chamber without obtaining approval of the Speaker. Any material so placed, or circulated to House members anywhere in the Legislative Building, shall bear the name of the originator.

RULE 58. *Rules, Rescission and Alteration.*—(a) These rules shall not be permanently rescinded or altered except by House simple resolution passed by a two-thirds (2/3) vote of the members present and voting. The introducer of the resolution must on the floor of the House give notice of his intent to introduce the resolution on the legislative day preceding its introduction.

(b) Except as otherwise provided herein, the House upon two-thirds (2/3) vote of the members present and voting may temporarily suspend any rule.

RULE 59. *Limitation on Cosponsorship of Bills and Resolutions.*—Any member wishing to cosponsor a bill or resolution which has been introduced may do so by appearing in the office of the Principal Clerk for such purpose within one-half hour following the adjournment of the session during which such bill or resolution was first read and referred.

RULE 60. *Correcting of Typographical Errors.*—The Legislative Services Officer may correct typographical errors appearing in House bills or resolutions provided that such corrections are made before ratification and do not conflict with any actions or rules of the Senate and provided further that such correction be approved by the Chairman of the Rules Committee, the Speaker or other presiding officer.

RULE 61. *Changing of Seats Prohibited.*—After initial assignment of seats, a member shall continue to occupy the seat to which initially assigned for the entire biennial session. In event of vacancy that member's successor will occupy the seat of the member he replaces for the remainder of the biennial session, but such successor shall not be considered as one who has served in the immediate preceding session for the purposes of seat assignment in the subsequent biennial session.

RULE 62. *Matters not Covered in These Rules.*—Except as herein set out the rules of the House of Representatives of Congress shall govern the operation of the House.

Sec. 2. This resolution is effective upon adoption.

H. R. 352, A HOUSE RESOLUTION URGING THE UNITED STATES GOVERNMENT TO SEEK A BILATERAL, VERIFIABLE FREEZE AND REDUCTION IN NUCLEAR WEAPONS.

Whereas, the General Assembly of North Carolina in adopting Resolution 37, Session Laws of 1949 (H. R. 1158) recognized that "war is now a threat to the very existence of our civilization, because modern science has produced weapons of war which are overwhelmingly destructive and against which there is no sure defense"; and

Whereas, the General Assembly of North Carolina in 1949 declared that "the effective maintenance of world peace is the proper concern and responsibility of every American citizen"; and

Whereas, the General Assembly of North Carolina in 1949 recognized that "the people of the State of North Carolina, while now enjoying domestic peace and security under the laws of their local, State and federal government, deeply desire the guarantee of world peace"; and

Whereas, in the 34 years since H. R. 1158 was adopted, the desire of our citizens for a guarantee of world peace is still unfulfilled, the pursuit of such a guarantee is still the proper concern and responsibility of every American citizen, and modern weapons of war have become more numerous and even more destructive; and

Whereas, both the Soviet Union and the United States possess a growing nuclear capability for swift and mutual destruction; and

Whereas, a continuation of this nuclear arms race threatens to annihilate civilization and possibly life on earth; and

Whereas, the issue of its continuation is therefore a matter of vital concern to all citizens; and

Whereas, the United States and the Soviet Union are engaged in a nuclear weapons race and are testing, producing and deploying nuclear warheads, missiles and delivery systems; and

Whereas, a strong national defense must be a supreme goal for national policy, but the further stockpiling and developing of nuclear weapons adds nothing to our defense and in fact makes us less secure;
Now, therefore, be it resolved by the House of Representatives:

Section 1. We memorialize the President and Congress of the United States, as an immediate strategic arms control objective, to:

(1) Pursue a complete and immediate multilateral halt to the nuclear arms race; and

(2) Work vigorously to negotiate a mutual and verifiable freeze by both the United States of America and the Union of Soviet Socialist Republics on the testing, production, and further deployment of nuclear warheads, missiles and other delivery systems.

Sec. 2. We further memorialize the President and the Congress of the United States, proceeding from the adoption of a nuclear weapons freeze by the United States and the Soviet Union, to pursue major, mutual and verifiable reductions in nuclear warheads,

missiles, sales, and other delivery systems, through annual percentages or equally effective means, in a manner that enhances stability.

Sec. 3. A certified copy of this resolution shall be sent by the Principal Clerk of the House to President Ronald Reagan, members of the entire congressional delegation from North Carolina, and Governor James B. Hunt, Jr.

Sec. 4. This resolution is effective upon adoption.

H. R. 938, A HOUSE RESOLUTION AUTHORIZING THE SPEAKER OF THE HOUSE TO APPOINT A SELECT COMMITTEE TO STUDY THE OPERATIONS GOVERNING THE NORTH CAROLINA NATIONAL GUARD.

Whereas, the National Guard is subject to the call of the Governor and the Commander in Chief as an aid to civil authorities in times of disorders and also subject to the call of the President of the United States in case of a National Emergency, and therefore holds a dual status both as State troops and a reserve component of the armed forces of the United States; and

Whereas, often at great personal sacrifice the citizen soldier is available for duty in an hour of crisis, thus providing a feeling of security which the whole State enjoys by reason of the presence of the National Guard and its capacity to preserve peace and good order in periods of stress and danger and protect the rights of all the people in their person and property; and

Whereas, in addition to support provided in previous years the State provided financial support for the administration of the North Carolina National Guard, maintenance of the State's armories, and support for other facilities used to carry out the National Guard's operation at a cost of approximately 2.7 million dollars during the 1982–83 fiscal year; and

Whereas, to further promote the efficient operation of the National Guard it is incumbent upon the General Assembly to study the operations governing the North Carolina National Guard;
Now, therefore, be it resolved by the House of Representatives:

Section 1. There is established a Select Committee to Study the Operations Governing the North Carolina National Guard. The Speaker may appoint any members of the House he deems appropriate to serve on this Committee. The Select Committee shall study the operations governing the North Carolina National Guard. The Select Committee has the powers of a standing committee of the House of Representatives. The Rules of the House of Representatives govern the operation of the Select Committee.

Sec. 2. The Legislative Services Officer shall provide professional and other staff assistance for the Select Committee.

Sec. 3. This resolution is effective upon ratification.

H. R. 1171, A HOUSE RESOLUTION AMENDING THE PERMANENT RULES OF THE HOUSE OF REPRESENTATIVES TO PROVIDE THAT NO BILL SHALL BE SENT FROM THE HOUSE ON THE DAY OF ITS PASSAGE EXCEPT ON THE LAST DAY OF THE SESSION.
Be it resolved by the House of Representatives:

Section 1. The permanent rules of the House of Representatives, as contained in House Resolution 27, 1983 Session, are amended by adding the following new rule:

"Rule 44.1. **Transmittal of bills to Senate.** No bill shall be sent from the House on the day of its passage, except on the last day of the session."

Sec. 2. This resolution is effective upon adoption.

H. R. 1276, A HOUSE RESOLUTION CALLING ON THE GENERAL SERVICES ADMINISTRATION TO SELL THE WINDMILL ON HOWARD'S KNOB TO WATAUGA COUNTY.

Whereas, the giant windmill on top of Howard's Knob in Watauga County is about to be dismantled; and

Whereas, the U. S. General Services Administration (GSA) has not made a final decision on the bid that was opened on May 5, 1983; and

Whereas, Watauga County considers the windmill as a landmark and tourist attraction; and

Whereas, Watauga County is willing to pay the U. S. government in excess of the bid price of fifty-one thousand six hundred dollars ($51,600) for the windmill;
Now, therefore, be it resolved by the House of Representatives:

Section 1. The General Assembly urges the U. S. General Services Administration or the Congress of the United States, as may be appropriate, to take immediate action to turn the ownership of the giant windmill on Howard's Knob over to Watauga County as soon as possible.

Sec. 2. The Secretary of State shall send a certified copy of this resolution to the Congressional delegation from North Carolina and to the General Services Administrator.

Sec. 3. This resolution is effective upon adoption.

H. J. R. 1184, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF MARION D. THORPE.

Whereas, Dr. Marion Dennis Thorpe, who died on April 28, 1983, devoted his life to the enrichment of countless other lives, as an educator, as a reconciler of racial differences, and as an exemplary human being, it therefore is fit and proper that the General Assembly acknowledge the eminent contributions of this native son to the State of North Carolina;
Now, therefore, be it resolved by the House of Representatives, the Senate concurring:

Section 1. Dr. Thorpe cared passionately about the education of young people of all races. He cherished knowledge and deplored ignorance. As a black man, he was especially sensitive to the role of education in transcending social and economic disadvantage. His will be an enduring example of the value of education, for generations to come.

Dr. Thorpe built bridges between black people and white people. He did so with a rare combination of grace, patience, sensitivity, and courage. The bridges he built will last, because they were constructed with great care.

Dr. Thorpe championed human rights. He imparted substance, through his own attitudes, beliefs, and conduct, to the proposition that each human life is precious. As a black man, he worked tirelessly to promote meaningful equality of opportunity for all people, without reference to race. His influence changed minds and hearts, and those changes will persist.

Sec. 2. As the chief executive officer of Elizabeth City State University, from 1968 until his death, Marion Thorpe infused that special institution with a new awareness of mission, with a justified sense of pride, and with an enhanced regard for quality. With forthrightness, intelligence, and perseverance, he successfully led Elizabeth City State through three major transitions. First, he superintended the real beginning and the successful fruition of efforts to achieve substantial and constructive racial integration of what formerly had been a segregated public institution established for black citizens; he did so in a manner that preserved the proud heritage of that school, while rendering it a highly relevant and vital force in the lives of all of the people of that region of our State. Second, he led his institution into the family of institutions which today comprise the multi-campus University of North Carolina; he did so in a spirit of genuine cooperation, and succeeded to an extraordinary degree in maximizing the benefits of that new administrative structure, while protecting the distinctive identity of the school. Third, he encouraged and shepherded the major expansion and diversification of the academic program of Elizabeth City State University, thereby converting it from a school of narrow and limited focus to one which now can offer its students a broad array of enriching academic opportunities.

Sec. 3. Marion Thorpe was, above all, a person who cared genuinely about the plight of his fellow citizens, and he devoted his talents and energies to their betterment within a professional context that can and will have lasting impact for generations to come. This good man was a true servant of humankind.

Sec. 4. The General Assembly expresses its appreciation for the life, the service, and the example of Dr. Marion Dennis Thorpe, and directs that a copy of this Resolution be spread upon the minutes of both the House of Representatives and the Senate, and that copies of this Resolution be duly certified by the Secretary of State and presented to his loving wife, Lula Glenn, and to each of his children, Pamela Monique and Marion Dennis.

Sec. 5. This resolution is effective upon ratification.

In the General Assembly read three times and ratified, this the 28th day of June, 1983.

H. J. R. 1411, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF JULIAN HAWLEY POOLE, A FORMER MEMBER OF THE GENERAL ASSEMBLY.

Whereas, Julian Hawley Poole was born in Montgomery County on March 29, 1890, one of nine children of Hartwell Spain Poole and Sarah Ann McLeod Poole; and

Whereas, Julian Hawley Poole graduated from Biscoe High School in 1913, and obtained a B. S. degree in agriculture from North Carolina College of Agriculture and Mechanical Arts (now North Carolina State University) in 1917, where he was a member of the College band; and

Whereas, Julian Hawley Poole was a second lieutenant beginning in 1917, and attained the rank of first lieutenant in the junior reserve corps; and

Whereas, Julian Hawley Poole married Lena Nelson Booker of Johnston County on September 5, 1925, and they had two children, Samuel H. Poole and Sarah Elizabeth Poole (Mrs. Paul H. Davis); and

Whereas, Julian Hawley Poole was a pioneer peach grower and was one of the largest peach producers in the world. At the height of his peach career he had more than 1200 acres in Moore, Richmond, Hoke, Montgomery and Surry Counties. His Diamond P brand peaches were in demand all over the northeastern United States. He served as president of the N. C. Mutual Peach Growers Society, was a director of the Tri-State Peach Growers

and the N. C. Peach Growers Council, and was a charter member of the National Peach Council; and

Whereas, Julian Hawley Poole was a Presbyterian elder, a Sunday School Superintendent, served as moderator of Fayetteville Presbytery and was Master of Masonic Alberta Lodge No. 654; and

Whereas, Julian Hawley Poole was appointed to the N. C. Board of Agriculture by Governors Hoey, Cherry, Broughton, Kerr Scott, Umstead, Hodges, Sanford, Moore and Bob Scott, serving in all 40 years, and was a member of The University of North Carolina Board of Trustees. He was a leader in outlawing low grade fertilizer in North Carolina; and

Whereas, three major North Carolina Department of Agriculture laboratories became realities in the 1970's. They include the Rollins Animal Disease Diagnostic Laboratory, the Constable Food and Drug Laboratory and L. Y. Ballentine Agronomic Laboratory. Much of the credit for the existence of these facilities is due Julian Hawley Poole; and

Whereas, Julian Hawley Poole served as Chairman of the Board of Supervisors of the Upper Cape Fear Soil Conservation District and State President of Supervisors Soil Conservation; and

Whereas, Julian Hawley Poole served as President of the Sandhills Kiwanis Club, served on the Board of Directors of the Sandhills Kiwanis Club, was a recipient of the Sandhills Kiwanis Builders Cup and was a Director of Carolina Bank; and

Whereas, Julian Hawley Poole served in the North Carolina House of Representatives in the 1937, 1941, and 1943 Sessions, and in the North Carolina Senate in the 1951 and 1955 Sessions, and served as chairman of the House Committee on Expenditures of the House and the Senate Committees on Penal Institutions and Justices of the Peace. He was leader in the 1937 House of Representatives in making illegal in North Carolina the prosperous industry of manufacturing slot machines, also known as one arm bandits; and

Whereas, Julian Hawley Poole died on April 28, 1982, at the age of 92;
Now, therefore, be it resolved by the House of Representatives, the Senate concurring:

Section 1. The General Assembly expresses its appreciation for the life and public service of Julian Hawley Poole and honors his memory.

Sec. 2. The Secretary of State shall send a certified copy of this resolution to his son, Samuel H. Poole, of Southern Pines, North Carolina; to his daughter, Sarah Elizabeth Poole Davis, of West End, North Carolina; and to his sister, Mrs. Edith Poole Pankey, of Jackson Springs, North Carolina. His wife predeceased him on June 19, 1966.

Sec. 3. This resolution is effective upon ratification.

In the General Assembly read three times and ratified, this the 12th day of July, 1983.

A CONCURRENT RESOLUTION

TO ACCEPT THE INVITATION OF THE NORTH CAROLINA GENERAL ASSEMBLY TO PLAY THEM IN BASKETBALL ON MAY 18, 1983, AT THE REYNOLDS COLISEUM IN RALEIGH, NORTH CAROLINA.

WHEREAS, The General Assembly of South Carolina has been invited by the General Assembly of North Carolina to again play them in basketball on May 18, 1983, at the Reynolds Coliseum in Raleigh; and

WHEREAS, to date each team has a perfect record against the other and the 1983 game in Raleigh promises to be another fine sporting event.

NOW, THEREFORE,

BE IT RESOLVED by the House of Representatives, the Senate concurring:

THAT the General Assembly of South Carolina, with great pleasure, accepts the invitation of the General Assembly of North Carolina to play them in basketball on May 18, 1983, at the Reynolds Coliseum in Raleigh, North Carolina.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the General Assembly of North Carolina.

State of South Carolina
In the House of Representatives
Columbia, South Carolina
March 15, 1983

We hereby certify that the foregoing is a true and correct copy of a resolution passed in the House of Representatives and concurred in by the Senate.

RAMON SCHWARTZ, JR.
Speaker

LOIS T. SHEALY
Clerk of the House

Remarks by Representative Richard Wright:

"Mr. Speaker, Ladies and Gentlemen of the House:

"I regret that it is my duty to inform you officially that the North Carolina House team lost the basketball game last night, May 18, 1983 by a score of 53-39. Many have speculated as to the reason for the loss but I must tell you the truth. Our team had discovered that South Carolina planned to cancel the series if it lost four games in a row and our team, consisting of true gentlemen, decided to lose rather than to see this good time of fun and fellowship come to an end. The team is therefore looking forward to the game in 1984 when once again the trophy will be gained for North Carolina.

"I do want to thank the House Basketball Committee which worked so hard — Representative John Gillam, Representative Margaret Hayden, Representative Josephus Mavretic, Representative Charles Hughes, Representative Richard Wright and Mr. Jim Long, former legislator and counsellor to our Speaker. The committee made excellent arrangements which I shall try to summarize.

"Representative Gillam arranged for the Bertie County High School chorus to be present at Reynolds Coliseum to lead us in the singing of our national anthem. Representative Gillam also arranged for the Bertie County Jazz Band to be present and everyone was amazed at the constant stream of good pep music which emanated from that outstanding group. The Williamston High School choral group, also invited by Representative Gillam, performed well at half time.

"The award-winning Cary Senior High School Band took the crowd by storm with an outstanding half time performance. This Rose Bowl bound band had been invited by Representative Stamey of Wake County.

"Other special entertainment included a pre-game performance by the North Carolina State University majorettes. Miss Karen Pearce, the daughter of Lillie Pearce a long time secretary for the North Carolina House, was a featured member of that group. The Carolina cheerleaders and the Wolfpack mascot also performed throughout the game.

"The free-throw shoot-out between Representative Gus Economos and Representative S. B. Lacey was won by Representative Lacey who then was defeated by Representative Louise Brennan. It will be years before we forget the Carolina blue basketball outfit worn by Representative Lacey.

"All of the entertainment provided did not, however, overshadow the valiant effort of our House basketball team which included Representatives Helms, Rabon, Warren, Wicker, C. Woodard, Bobby Etheridge, Pool, Jeralds, Nesbitt, DeVane, Hackney, Hunter, Payne, Locks, Diamont and J. Crawford. The team had played in Harnett County, in Cumberland County and in Robeson County before coming into its fourth match with the South Carolina House. The team had won in Columbia in 1979 and in 1981 as well as in Raleigh in 1980.

"At the end of the first half, the score was tied 20-20 and it is possible that the absence of points by our House team in the second half is the result of an error in strategy by the House Basketball Committee. Our committee had planned 40 minutes of half time entertainment in an effort to make sure that our boys were very rested at the time the second half would commence. It seems, however, that the long rest was counter-productive and our good team never could come back to life. Ed McLean, of Coach Jim Valvano's staff, ably coached.

"After the game was over, our speaker, Liston Ramsey, nobly and courteously presented the trophy to South Carolina Speaker Ramon Schwartz and each Speaker then paid glowing tribute to the other. Speaker Ramsey promised that next year the outcome will be different.

"After the game the North Carolina House entertained the South Carolina House with a reception and music at the North Carolina Museum of Art. The music by the beach band, Breeze, was well received as was the wide variety of food and beverage. The dance floor which had been generously provided by the Hilton Inn was used throughout the night as the members and guests demonstrated their proficiency at the shag.

"There are so many people to thank for making the evening of May 18, 1983 such a fun-filled evening of good fellowship. Of course, we must thank the House basketball team for its hard work in practice and for being the reason for our fun-filled evening. Hopefully, they will give us more reason to celebrate next year! I also must tell you that you cannot imagine how hard the House Basketball Committee worked and I must say thank you to my secretary, Lillie Pearce, who spent hours collecting money and keeping the records. Jean Mims, the secretary to Jim Long, and Pickett Guthrie, secretary to Representative Diamont, also worked hard in either keeping up with money, contacting lobbyists, or in maintaining contact with the South Carolina team.

"I also want to thank Representative Babe Owens and Mike Cochrane of the Sergeant-at-Arms staff for their play-by-play account of the game from courtside. Also, we would be remiss if we did not thank Rudy Pate, Assistant to the Chancellor at North Carolina State University, for providing Reynolds Coliseum and for being so cooperative in making us feel at home there. We also appreciate the fact that Robbie Lester of the Sports Medicine

Divison of the Department of Public Instruction served as trainer for our team and we appreciate the service of those who officiated at the game.

"We also thank Peter Bowron and his staff for making available to us the lovely facilities at the North Carolina Museum of Art. We particularly thank the lobbyists, members of the House, friends and staff who contributed to the financial success of the evening.

"Mr. Speaker, I know that I have rambled too long but I felt that there should be a record of the fourth meeting between the North Carolina House and the South Carolina House on the basketball court. Wait until next year!"

STATEMENTS BY MEMBERS OF THE GENERAL ASSEMBLY IN SUPPORT OF THE CONFIRMATION OF RUTH COOK TO THE UTILITIES COMMISSION.

June 2, 1983

Statement by Representative Bertha Holt:

Mr. President
Mr. Speaker

"Ladies and Gentlemen of the House and Senate,

"I rise to commend to you the confirmation of Ruth Cook as a member of the Utilities Commission of North Carolina.

"Representative Cook is not only my good friend, but she is a respected colleague.

" I know that Ruth Cook is knowledgeable, well informed, thorough, conscientious and articulate.

"But most of all, she is a *reasonable* person and will serve this State and its citizens well as a member of the Public Utilities Commission."

Statement by Rep. Margaret Hayden:

"I wish to speak on the motion before the House and the Senate.

"Ruth Cook has represented her District well. She has represented the people of North Carolina well during her 10 years in the Legislature. We are impressed with her dedication, knowledge, hard work and determination. She studies the issues well and is always prepared for the task at hand.

"Some might disagree with Rep. Cook on some legislation, but you can never disagree with her heart-felt compassion for the under privileged.

"She has demonstrated well her:

Concern for the needy!

Concern for the child!

Concern for the aged!

and, yes, her concern for humanity

"I can without reservation commend Ruth Cook to you.

"We need Ruth Cook on the Utilities Commission."

Statement by Representative Sidney A. Locks:

"Mr. President, Ruth Cook's nomination by Governor James B. Hunt to the North Carolina Utilities Commission is a nomination which I am proud to so second. The major reason for my endorsement is rooted and grounded in the integrity of Ruth Cook. She, if confirmed by these Houses, will do a most outstanding job for this industry as per her reputation. Ruth is hardworking, unrelenting in research and always on top of pertinent issues related to her work! Having been an outstanding member of our N.C. General Assembly serving will certainly be integritious as a member of the Utilities Commission. Some of you have remarked that you have found yourselves on opposite ends of certain political issues of Ruth Cook. If that be so, join us now in kicking her up to the N.C. Utilities Commission. Thank you Mr. President."

Statement by Rep. Margaret Tennille:

"Mr. President,
Mr. Speaker,
Ladies and Gentlemen of the General Assembly:

"I rise to make a few remarks about my good friend and colleague, Ruth Cook, on this very special day for her as she appears before this body for confirmation as Utilities Commissioner. I am pleased Governor Hunt has recognized her outstanding contributions and her capabilites by nominating her for this position.

"Since January 1975 when we first came to this House together, my admiration and respect for Ruth Cook has grown.

"I have admired her courage. She has made her decisions after careful study and serious consideration of the issues. They were not always easy decisions or popular ones.

"You know:

— how hard she has worked to make N.C. a better place for all of us,

— how fair she has been in her relationships with all of us,

— how much integrity and dignity she has brought to her job as a legislator.

"Her ability and intelligence has brought her recognition in this body in many capacities as Chairman of the important Base Budget Appropriations Committee on Human Resources *and* in the Southern Legislative Conference of the Council of State Governments where she was appointed to chair the Consumer Protection Committee — the first woman ever to hold such an appointment — and a seat on the Executive Committee of that Association. That is only one of the "firsts" she has received.

"As she faces a new challenge, I can assure you that she will face it with the same firm, stable, measured consideration and good judgment that you have seen her display in the challenges she has faced in her private and public life.

"Her credibility is the same today as it was on the day she took her oath of office.

"She's a tough competitor. She's been tested and tried.

"I commend her to you for confirmation as a member of the N.C. Utilities Commission with much pride and pleasure."

Statement by Representative John Varner:

"Mr. Speaker, Mr. President, members of the House and Senate, I rise to urge you to vote for the confirmation of Ruth Cook's appointment to the Utilities Commission. I know she is a most able legislator, and am sure she will be an excellent commissioner.

"Most of you are familiar with Representative Cook's fine record of legislative leadership, so I will cite only a few examples of it. As chairman of the Human Resources Base Budget Committee, she helped fashion a balanced package of budget reductions that streamlined and preserved essential human services. Further, her leadership on the Housing Commission resulted both in the creation of legislative Housing Committees and in an important 16 bill package of housing legislation.

"Representative Cook has been an informed, effective sponsor on a variety of issues both as a legislator and as a concerned citizen. She served ably as Executive Director of the State Council for Social Legislation, as chairman of the Consumer Protection Committee of the Southern Legislative Conference, and as chairman of the North Carolina Council for the Hearing Impaired. In addition she has played important roles on the Savings and Loan Study Commission and the Legislative Research Commission's Committee on Credit and Interest Laws. With this background of successful activities in consumer affairs, human resources budgeting, and finance, she is an excellent candidate for the demanding job of Utilities Commissioner.

"I have had the pleasure of serving with Representative Cook for 4 terms. In that time I have seen her work as an effective advocate for the citizens of Wake County and all of North Carolina. As much as we need legislators of her calibre, we also need consumer advocates with an awareness of all the issues affecting public utilities. While I will miss Representative Cook as a legislative colleague, I think she will be able to serve the people of North Carolina even better as a member of the Utilities Commission. For that reason, I urge her confirmation. Thank you."

Statement by Rep. Paul Pulley:

Mr. President, Mr. Speaker

I am honored to support the motion to name Ruth Cook as a Utilities Commissioner.

I sincerely believe this nomination is a tribute to the Governor for making the nomination, a tribute to the Commission and a tribute to this Legislative Body.

It is a tribute to this Legislature because Representative Cook is one of our more able members. She has for nine years served "In The Pits" of this Legislative Body.

Shortly after I arrived here some poll came out naming the most liberal and conservative legislators. At that time I was frequently struggling on how to vote on bills. I often saw gray rather than black or white. I thought how easy it must be to be a knee jerk liberal or "conservative". I secretly envied those who did not see gray but saw only black and white. Some thought Representative Cook was that way.

But I got a better look. I sat across the aisle from her. You learn a lot about a seatmate or a person you sit so close to in this hall.

I found her reactions were not "knee jerk." They were studied and deliberate.

Yes, she has been liberal in her support for housing legislation and public members to commissions. But she has also been tough of spending waste and has supported banking and even consumer finance legislation when she believed it was fair.

If you have fought her on issues, and I have, you had a tough fight.

If you have been with her on issues, and I have been there too, you had a great ally.

Her willingness to work, study and her sheer tenacity have made her an outstanding legislator.

Those qualities will likewise make her an outstanding commissioner.

I solicit your support for the motion.

Prayer offered by Rabbi Abe Shoen — June 2, 1983

"Almighty God, we invoke Thy blessings upon all assembled here. Cause Thy countenance to shine upon all the members of this legislative body, many of whom have made significant sacrifices in order to render service to the inhabitants of this State. Endow them with the wisdom and understanding to conduct the affairs of our State prudently, justly, and equitably. Fill them with a spirit of compassion and dedication which will continually lead them to anticipate and be responsive to the needs of all the people of North Carolina.

"Vouchsafe the abundance of Thy blessings unto Ruth Cook, a dedicated public servant, who has served the legislature and people of this State, faithfully and proficiently, for many years. May it be Thy will, O Lord and God, that she may continue, and extend her excellent record of public service to her new assignment.

"Unite all of the inhabitants of our State, whatever their origin and creed into a bond of true brotherhood to banish hatred and bigotry, and to safeguard the ideals and institutions which are the glory of the great State of North Carolina. Bless all of the people of our State and country, and all good people everywhere with peace, prosperity, and happiness."

Remarks by Representative Ruth E. Cook:

June 30, 1983

"The time has come for me to say good-bye. I have thought a lot about what I wanted to say to you my friends and colleagues on this, my last statement on this floor. And the truth is there is so very much — given the nine years that I have served as well as my eight years preceding those as a public interest lobbyist. I must tell you that much as I look forward to my new challenge — and thank you for your support in voing for my confirmation — this is a very difficult moment for me.

"Because in the process of saying good-bye to you, I am saying good-bye to what has been a very large part of my life for many years.

"I have a profound commitment to our form of government. And to the value and worth of the legislative process.

"We, in this chamber, are the holders of the public trust and that is an awesome responsibility and at the same time a great opportunity.

"By enacting good laws, and defeating bad laws, we speak and act for the people of this great State. And I mean *all* the people — the young, the old, the disadvantaged, minorities of whatever kind — as well as important business and economic interests.

"As I look around at all of you who are part of this magnificent process, I see others who preceded some of you, and with whom it was my great good fortune to be associated in one role or another — Charlie Phillips, Miss Nancy (Nancy Chase), Herschel Harkins, Bob Farmer, Herbert Hyde, Kitch Josey, Wade Smith, Mary Nesbitt and many many more.

"I learned from them and with them. Just as I have from all of you. And I look around with special fondness at my class — the class of '75 — Al Adams, Margaret Tennille, Parks Helms, Dave Diamont, John Varner, Jeff Enloe, Richard Wright and my mentor of many years, Representative George Miller.

"And so as my tenure draws to a close, I have much to be grateful for and much to remember. The responsibilities you have given me Mr. Speaker, the work we have done together, the tough times and the good times we have shared, the new friendships and the old are ones which I will always cherish.

"The Ship of State is in good hands under your stewardship. You will, I know, always remember the *less fortunate* of this State and see to it that our many bounties extend to *them*, too.

"In closing, Mr. Speaker, friends and colleagues all, I would like to end by reading a quote from Rabbi Stephen Wise, because it speaks to my belief.

'I am doubly an American, because I am foreign born. It may be that the native-born Americans take America for granted. Foreign-born Americans like myself do not take America for granted. We look upon American citizenship as the most precious and sacred of boons. We understand what it is that we have left behind us — of denial of the freedoms of man — and we know what it is that has come to be our high destiny, to be a sharer in American freedom, to be a bearer of American responsibility, to be a devotee of the American Democracy, to use American freedom not for one's own advantage but for the service of the American Democracy and for the preservation of its loftiest ideals and purposes.' "

1983 HOUSE OF REPRESENTATIVES COMMITTEE ASSIGNMENTS

ALLEN ADAMS: Alcoholic Beverage Control (Vice Chairman), Appropriations Base Budget (Chairman), Appropriations Expansion Budget, Banks and Thrift Institutions, Economy, Election Laws, Employment Security, Judiciary III, Manufacturers and Labor, Rules (Vice Chairman).

AUSTIN M. ALLRAN: Alcoholic Beverage Control, Corrections, Courts and Administration of Justice, Finance, Judiciary II, Local Government I, Manufacturers and Labor, Pensions and Retirement.

GERALD ANDERSON: Agriculture (Vice Chairman), Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Education, Appropriations Expansion Budget Committee on Education, Commercial Fishing, Economy (Chairman), Health, Insurance, Natural and Economic Resources (Vice Chairman), Water and Air Resources, Wildlife Resources.

T. CLYDE AUMAN: Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Human Resources, Appropriations Expansion Budget Committee on Human Resources, Corrections, Education, Governmental Ethics, Highway Safety, Human Resources, Mental Health, Transportation, University Board of Governors Nominating Committee (Chairman).

FRANK BALLANCE: Banks and Thrift Institutions, Courts and Administration of Justice, Election Laws, Finance, Insurance, Judiciary IV, Law Enforcement, University Board of Governors Nominating Committee.

ALLEN BARBEE: Corporations, Finance (Vice Chairman), Local Government I, Rules (Vice Chairman), Small Business (Vice Chairman), State Government, Transportation, University Board of Governors Nominating Committee.

CHRIS BARKER: Corporation, Education, Finance (Vice Chairman), Governmental Ethics, Mental Health (Chairman), Military and Veterans Affairs, Public Utilities (Vice Chairman), Wildlife Resources.

ANN BARNES: Agriculture, Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Education, Appropriations Expansion Budget Committee on Education, Commissions and Schools for the Blind and Deaf, Election Laws, Health, Housing (Vice Chairman), Local Government I, Manufacturers and Labor, Mental Health.

CHARLES BEALL: Aging, Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on General Government, Appropriations Expansion Budget Committee on General Government, Election Laws, Higher Education, Insurance, Manufacturers and Labor, Public Utilities, Rules, Transportation.

SAM BEAM: Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Human Resources, Appropriations Expansion Budget Committee on Human Resources, Banks and Thrift Institutions, Corrections (Vice Chairman), Employment Security, Health (Vice Chairman), Human Resources (Vice Chairman), Judiciary IV, Mental Health, Rules.

R. D. BEARD: Appropriations Base Budget (Vice Chairman), Appropriations Expansion

Budget (Vice Chairman), Appropriations Base Budget Committee on General Government (Chairman), Appropriations Expansion Budget Committee on General Government, Constitutional Amendments, Corporations, Economy, Housing, Insurance (Vice Chairman), Mental Health (Vice Chairman), Rules.

PHIL BERRY: Banks and Thrift Institutions, Corporations, Finance, Governmental Ethics, Local Government I, Manufacturers and Labor, Mental Health, Public Utilities.

JIM BLACK: Agriculture, Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Human Resources (Vice Chairman), Appropriations Expansion Budget Committee on Human Resources (Vice Chairman), Banks and Thrift Institutions (Vice Chairman), Health, Judiciary III, Military and Veterans Affairs (Vice Chairman), Public Utilities, Rules, University Board of Governors Nominating Committee.

DAN BLUE: Education, Election Laws, Finance (Vice Chairman), Health, Housing (Vice Chairman), Insurance, Judiciary III (Vice Chairman), Manufacturers and Labor, Rules (Vice Chairman), State Personnel.

EDWARD C. BOWEN: Aging, Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on General Government, Appropriations Expansion Budget Committee on General Government, Education, Law Enforcement, Local Government I, Public Utilities, State Properties, Transportation.

GEORGE BRANNAN: Banks and Thrift Institutions, Corrections, Education (Vice Chairman), Election Laws, Energy, Finance, Housing (Chairman), Law Enforcement (Vice Chairman), Local Government I (Vice Chairman), Manufacturers and Labor.

C. ROBERT BRAWLEY: Agriculture, Banks and Thrift Institutions, Corporations, Finance, Governmental Ethics, Housing, Insurance, Small Business, State Properties.

LOUISE BRENNAN: Aging, Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Human Resources, Appropriations Expansion Budget Committee on Human Resources, Constitutional Amendments, Higher Education, Human Resources (Chairman), Judiciary IV, Mental Health (Vice Chairman), State Personnel (Vice Chairman).

JOHN W. BROWN: Agriculture, Commissions and Institutions for the Blind and Deaf, Finance, Military and Veterans Affairs, State Government, Transportation, Water and Air Resources, Wildlife Resources.

HAROLD J. BRUBAKER: Agriculture, Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Justice and Public Safety, Appropriations Expansion Budget Committee on Justice and Public Safety, Banks and Thrift Institutions, Economy, Election Laws, Health, Housing, State Personnel, University Board of Governors Nominating Committee.

DAVID BUMGARDNER: Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Natural and Economic Resources, Appropriations Expansion Budget Committee on Natural and Economic Resources, Highway Safety (Vice Chairman), Housing, Judiciary III, Military and Veterans Affairs, Public Utilities, State Government, Transportation (Chairman), University Board of Governors Nominating Committee.

SAMUEL D. BUNDY: Education, Election Laws, Finance (Vice Chairman), Higher Education, Local Government II, Pensions and Retirement (Vice Chairman), State Personnel (Vice Chairman), University Board of Governors Nominating Committee.

DOROTHY R. BURNLEY: Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Education, Appropriations Expansion Budget Committee on Education, Cultural Resources, Education, Election Laws, Governmental Ethics, Judiciary II, Mental Health, Public Utilities.

HOWARD CHAPIN: Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Natural and Economic Resources, Appropriations Expansion Budget Committee on Natural and Economic Resources, Commercial Fishing (Chairman), Corrections (Vice Chairman), Cultural Resources, Education (Vice Chairman), Employment Security, Energy, Natural and Economic Resources.

R. J. CHILDRESS: Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on General Government, Appropriations Expansion Budget Committee on General Government, Education, Employment Security, Highway Safety, Local Government II, Small Business, State Personnel, University Board of Governors Nominating Committee.

JOHN CHURCH: Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on General Government, Appropriations Expansion Budget Committee on General Government, Economy (Vice Chairman), Higher Education, Highway Safety, Local Government II (Vice Chairman), Rules, State Government (Chairman), Transportation.

WILLIAM CLARK: Alcoholic Beverage Control (Chairman), Courts and Administration of Justice, Employment Security, Finance, Insurance (Vice Chairman), Judiciary II (Vice Chairman), Manufacturers and Labor, Water and Air Resources.

J. HOWARD COBLE: Alcoholic Beverage Control, Banks and Thrift Institutions, Courts and Administration of Justice, Economy, Finance, Higher Education, Highway Safety, Judiciary I.

BETSY COCHRANE: Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Natural and Economic Resources, Appropriations Expansion Budget Committee on Natural and Economic Resources, Corrections, Education, Higher Education, Local Government I, Manufacturers and Labor, Natural and Economic Resources, University Board of Governors Nominating Committee.

MARIE COLTON: Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on General Government, Appropriations Expansion Budget Committee on General Government, Banks and Thrift Institutions, Constitutional Amendments, Cultural Resources (Chairman), Governmental Ethics, Health, Housing, Human Resources (Vice Chairman), Local Government II (Vice Chairman).

***RUTH COOK:** Appropriations Base Budget (Vice Chairman), Appropriations Expansion Budget (Vice Chairman), Appropriations Base Budget Committee on Human Resources (Chairman), Appropriations Expansion Budget Committee on Human

*Resigned effective 6/30/83.

Resources, Banks and Thrift Institutions, Cultural Resources (Vice Chairman), Economy, Employment Security (Vice Chairman), Energy, Housing, Judiciary I, Mental Health.

JAMES W. CRAWFORD, JR.: Finance, Higher Education, Judiciary I, Local Government I, Mental Health, Public Utilities, Small Business, State Government.

N. JIM CRAWFORD: Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on General Government, Appropriations Expansion Budget Committee on General Government, Election Laws (Vice Chairman), Housing, Rules, State Government, Transportation, University Board of Governors Nominating Committee (Vice Chairman).

C. MELVIN CREECY: Agriculture, Corrections (Vice Chairman), Finance, Highway Safety, Insurance, Mental Health, Transportation, Wildlife Resources (Vice Chairman).

DANIEL H. DeVANE: Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Justice and Public Safety, Appropriations Expansion Budget Committee on Justice and Public Safety, Cultural Resources, Health, Judiciary II, Law Enforcement, Local Government II, Rules, University Board of Governors Nominating Committee.

DAVID HUNTER DIAMONT: Aging, Appropriations Base Budget (Vice Chairman), Appropriations Expansion Budget (Vice Chairman), Appropriations Base Budget Committee on Human Resources, Appropriations Expansion Budget Committee on Human Resources (Chairman), Banks and Thrift Institutions, Cultural Resources (Vice Chairman), Economy, Education, Manufacturers and Labor, Rules, Water and Air Resources (Vice Chairman).

RUTH M. EASTERLING: Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Natural and Economic Resources (Vice Chairman), Appropriations Expansion Budget Committee on Natural and Economic Resources (Vice Chairman), Constitutional Amendments, Economy, Energy, Governmental Ethics (Chairman), Judiciary I, Local Government II, Manufacturers and Labor (Vice Chairman).

GUS N. ECONOMOS: Aging (Chairman), Energy, Finance, Health (Vice Chairman), Highway Safety, Human Resources, Judiciary II, Mental Health (Vice Chairman).

C. R. EDWARDS: Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Education, Appropriations Expansion Budget Committee on Education, Education, Higher Education, Human Resources, Local Government I, Mental Health, Military and Veterans Affairs, Natural and Economic Resources.

JEFF H. ENLOE, JR.: Agriculture, Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Education, Appropriations Expansion Budget Committee on Education, Employment Security (Chairman), Election Laws, Health (Vice Chairman), Local Government II, Military and Veterans Affairs, State Personnel, Transportation (Vice Chairman).

BOBBY R. ETHERIDGE: Appropriations Base Budget (Vice Chairman), Appropriations Expansion Budget (Vice Chairman), Appropriations Base Budget Committee on Natural and Economic Resources (Chairman), Appropriations Expansion Budget Committee on Natural and Economic Resources, Education, Economy, Pensions

and Retirement (Vice Chairman), Public Utilities, Rules, Small Business (Vice Chairman), Transportation.

BRUCE ETHRIDGE: Aging, Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Natural and Economic Resources (Vice Chairman), Appropriations Expansion Budget Committee on Natural and Economic Resources (Vice Chairman), Commercial Fishing, Commissions and Schools for the Blind and Deaf, Education, Housing, Human Resources, Natural and Economic Resources (Chairman), Water and Air Resources (Vice Chairman).

CHARLES DOUGLAS EVANS: Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on General Government (Vice Chairman), Appropriations Expansion Budget Committee on General Government (Vice Chairman), Banks and Thrift Institutions (Chairman), Commercial Fishing, Governmental Ethics, Judiciary III (Vice Chairman), Public Utilities, Rules, State Government.

JEANNE FENNER: Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Human Resources, Appropriations Expansion Budget Committee on Human Resources, Commissions and Schools for the Blind and Deaf (Chairman), Education, Governmental Ethics (Vice Chairman), Health, Judiciary II, Mental Health (Vice Chairman), State Government.

RAY C. FLETCHER: Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Justice and Public Safety, Appropriations Expansion Budget Committee on Justice and Public Safety, Banks and Thrift Institutions, Election Laws, Local Government I, Mental Health, Natural and Economic Resources, Small Business, State Personnel.

JO GRAHAM FOSTER: Aging, Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Education (Vice Chairman), Appropriations Expansion Budget Committee on Education (Vice Chairman), Constitutional Amendments, Education (Chairman), Insurance, Military and Veterans Affairs, Pensions and Retirement, University Board of Governors Nominating Committee (Vice Chairman).

G. MALCOLM FULCHER, JR.: Appropriations Base Budget (Vice Chairman), Appropriations Expansion Budget (Vice Chairman), Appropriations Base Budget Committee on Education (Chairman), Appropriations Expansion Budget Committee on Education, Commercial Fishing (Vice Chairman), Economy (Vice Chairman), Education, Higher Education, Mental Health, Natural and Economic Resources, Public Utilities.

AARON FUSSELL: Aging, Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on General Government, Appropriations Expansion Budget Committee on General Government, Commissions and Schools for the Blind and Deaf, Education (Vice Chairman), Energy, Higher Education, Highway Safety (Chairman), State Personnel (Vice Chairman).

WORTH GENTRY: Agriculture, Election Laws (Chairman), Finance, Housing, Insurance, Local Government II, State Properties (Vice Chairman), Transportation, Wildlife Resources (Vice Chairman).

JOHN GILLAM, III: Agriculture (Vice Chairman), Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Justice and Public Safety (Vice Chairman), Appropriations Expansion Budget Committee on Justice and Public Safety (Vice Chairman), Banks and Thrift Institutions,

Commercial Fishing, Corrections, Courts and Administration of Justice, Health, Judiciary IV, Local Government I (Vice Chairman).

HERMAN GIST: Alcoholic Beverage Control, Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Justice and Public Safety, Appropriations Expansion Budget Committee on Justice and Public Safety, Banks and Thrift Institutions, Employment Security, Manufacturers and Labor, Small Business, State Government, University Board of Governors Nominating Committee.

GORDON GREENWOOD: Agriculture, Appropriations Base Budget (Vice Chairman), Appropriations Expansion Budget (Vice Chairman), Appropriations Base Budget Committee on Education, Appropriations Expansion Budget Committee on Education (Chairman), Commissions and Schools for the Blind and Deaf, Economy, Energy (Vice Chairman), Human Resources, Mental Health, Military and Veterans Affairs (Vice Chairman).

WILLIAM T. GRIMSLEY: Aging, Agriculture, Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Justice and Public Safety, Appropriations Expansion Budget Committee on Justice and Public Safety, Corrections, Health, Highway Safety, Human Resources, Mental Health.

JOE HACKNEY: Corrections (Vice Chairman), Courts and Administration of Justice, Energy (Chairman), Finance, Higher Education, Judiciary I, Law Enforcement (Vice Chairman), Natural and Economic Resources.

JOHN C. HASTY: Finance, Insurance, Judiciary III, Law Enforcement, Local Government II, Manufacturers and Labor, Public Utilities, State Government.

C. B. HAUSER: Aging, Corporations, Education, Finance, Higher Education, Housing, Human Resources, Mental Health, Small Business.

MARGARET HAYDEN: Aging (Vice Chairman), Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Education, Appropriations Expansion Budget Committee on Education, Corporations (Chairman), Education, Health, Local Government I (Vice Chairman), Mental Health, Transportation.

PARKS HELMS: Constitutional Amendments, Courts and Administration of Justice (Chairman), Finance, Higher Education (Vice Chairman), Housing, Judiciary I, Local Government II (Vice Chairman), Wildlife Resources.

FOYLE HIGHTOWER: Agriculture, Economy, Finance (Vice Chairman), Insurance (Chairman), State Government (Vice Chairman), Transportation, Water and Air Resources, Wildlife Resources.

GEORGE M. HOLMES: Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Justice and Public Safety, Appropriations Expansion Budget Committee on Justice and Public Safety, Banks and Thrift Institutions, Courts and Administration of Justice, Housing, Insurance, Judiciary IV, Local Government II, Rules, State Personnel.

BERTHA M. HOLT: Alcoholic Beverage Control (Vice Chairman), Banks and Thrift Institutions, Constitutional Amendments (Chairman), Finance, Governmental Ethics (Vice Chairman), Judiciary III, Natural and Economic Resources, State Government.

JOE R. HUDSON: Alcoholic Beverage Control, Finance, Judiciary III, Local Government I, Small Business, State Properties, Transportation, Water and Air Resources.

CHARLES H. HUGHES: Aging, Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Justice and Public Safety, Appropriations Expansion Budget Committee on Justice and Public Safety, Commercial Fishing, Courts and Administration of Justice, Governmental Ethics, Higher Education, Law Enforcement, Wildlife Resources.

JAMES F. HUGHES: Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Natural and Economic Resources, Appropriations Expansion Budget Committee on Natural and Economic Resources, Constitutional Amendments, Insurance, Judiciary I, Local Government II, Public Utilities, Transportation, Wildlife Resources.

JOHN J. HUNT: Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Natural and Economic Resources, Appropriations Expansion Budget Committee on Natural and Economic Resources, Energy, Housing, Law Enforcement, Military and Veterans Affairs (Vice Chairman), Rules (Chairman), Transportation (Vice Chairman), University Board of Governors Nominating Committee.

ROBERT C. HUNTER: Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Justice and Public Safety (Vice Chairman), Appropriations Expansion Budget Committee on Justice and Public Safety (Vice Chairman), Corrections, Courts and Administation of Justice, Election Laws (Vice Chairman), Highway Safety, Judiciary IV (Vice Chairman), Pensions and Retirement, Rules, Transportation.

J. P. HUSKINS: Appropriations Base Budget (Vice Chairman), Appropriations Expansion Budget (Vice Chairman), Appropriations Base Budget Committee on Natural and Economic Resources, Appropriations Expansion Budget Committee on Natural and Economic Resources (Chairman), Courts and Administration of Justice, Cultural Resources, Economy, Public Utilities, Rules, State Government (Vice Chairman), Transportation, University Board of Governors Nominating Committee (Vice Chairman).

VERNON JAMES: Agriculture (Chairman), Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Natural and Economic Resources, Appropriations Expansion Budget Committee on Natural and Economic Resources, Commercial Fishing, Constitutional Amendments (Vice Chairman), Housing, Public Utilities, Rules, Transportation, Water and Air Resources (Vice Chairman).

MARY JARRELL: Alcoholic Beverage Control, Education, Finance, Health, Judiciary II, Local Government II, Military and Veterans Affairs, Transportation.

L. R. JERALDS: Alcoholic Beverage Control, Constitutional Amendments, Education, Finance, Human Resources, Military and Veterans Affairs, Natural and Economic Resources, Small Business.

WALTER B. JONES, JR.: Constitutional Amendments, Education, Election Laws, Finance, Higher Education, Local Government II, State Personnel, University Board of Governors Nominating Committee.

JOHN JORDAN: Aging (Vice Chairman), Agriculture, Corporations, Energy, Finance (Vice Chairman), Manufacturers and Labor, Public Utilities, State Personnel (Chairman).

MARGARET KEESEE-FORRESTER: Constitutional Amendments, Education, Finance, Governmental Ethics, Human Resources, Local Government II, Mental Health, Natural and Economic Resources.

ANNIE BROWN KENNEDY: Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on General Government, Appropriations Expansion Budget Committee on General Government, Constitutional Amendments, Courts and Administration of Justice, Employment Security, Energy, Judiciary I, State Government, University Board of Governors Nominating Committee.

J. E. LAMBETH: Agriculture, Commercial Fishing, Corporations (Vice Chairman), Cultural Resources (Vice Chairman), Finance, Highway Safety, Rules, Wildlife Resources (Chairman).

MARTIN LANCASTER: Commissions and Schools for the Blind and Deaf, Corrections, Finance, Governmental Ethics (Vice Chairman), Highway Safety (Vice Chairman), Housing, Judiciary III (Chairman), Military and Veterans Affairs.

HUGH LEE: Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Justice and Public Safety, Appropriations Expansion Budget Committee on Justice and Public Safety, Banks and Thrift Institutions, Courts and Administration of Justice, Housing, Insurance, Judiciary IV, Public Utilities, Water and Air Resources.

BRADFORD V. LIGON: Aging, Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on General Government, Appropriations Expansion Budget Committee on General Government, Corporations, Employment Security, Health, Human Resources, Small Business, Water and Air Resources.

DANIEL T. LILLEY: Agriculture, Alcoholic Beverage Control, Finance (Vice Chairman), Local Government I (Chairman), Military and Veterans Affairs, Transportation, Water and Air Resources, Wildlife Resources (Vice Chairman).

SIDNEY LOCKS: Agriculture, Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Human Resources, Appropriations Expansion Budget Committee on Human Resources, Commercial Fishing, Governmental Ethics, Health, Human Resources, Natural and Economic Resources, Rules.

EDITH LUTZ: Aging, Agriculture (Vice Chairman), Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Human Resources (Vice Chairman), Appropriations Expansion Budget Committee on Human Resources (Vice Chairman), Governmental Ethics, Human Resources, Insurance, Local Government II (Chairman), Mental Health.

ROBERT McALISTER: Agriculture, Election Laws (Vice Chairman), Finance, Local Government I, Rules, State Properties (Vice Chairman), Transportation, Water and Air Resources (Chairman).

TIM McDOWELL: Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Education, Appropriations Expansion

Budget Committee on Eduction, Constitutional Amendments, Corrections (Chairman), Higher Education (Vice Chairman), Manufacturers and Labor, Natural and Economic Resources (Vice Chairman), Rules, University Board of Governors Nominating Committee.

TOM MATTHEWS: Banks and Thrift Institutions, Courts and Administration of Justice, Energy, Finance, Housing, Judiciary IV, Public Utilities, Small Business.

D. R. MAUNEY: Aging (Vice Chairman), Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Education, Appropriations Expansion Budget Committee on Education, Commissions and Schools for the Blind and Deaf (Vice Chairman), Cultural Resources, Education (Vice Chairman), Energy, Higher Education, Public Utilities, Wildlife Resources.

JOE MAVRETIC: Agriculture, Education, Finance (Vice Chairman), Highway Safety, Judiciary III, Pensions and Retirement (Chairman), Rules, Transportation (Vice Chairman), Water and Air Resources.

GEORGE MILLER: Finance, Governmental Ethics (Vice Chairman), Insurance (Vice Chairman), Judiciary I (Chairman), Public Utilities, Rules, University Board of Governors Nominating Committee.

WENDELL MURPHY: Agriculture, Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Natural and Economic Resources, Appropriations Expansion Budget Committe on Natural and Economic Resources, Banks and Thrift Institutions, Election Laws, Higher Education, Insurance, Local Government II, Public Utilities, University Board of Governors Nominating Committee.

MARVIN MUSSELWHITE: Banks and Thrift Institutions, Corporations (Vice Chairman), Courts and Administration of Justice, Finance, Judiciary I (Vice Chairman), Manufacturers and Labor (Vice Chairman), Public Utilities, Small Business, State Properties.

ROBIE NASH: Agriculture, Appropriations Base Budget (Vice Chairman), Appropriations Expansion Budget (Vice Chairman), Appropriations Base Budget Committee on Justice and Public Safety, Appropriations Expansion Budget Committee on Justice and Public Safety (Chairman), Economy, Law Enforcement, Mental Health, State Properties (Vice Chairman), Transportation (Vice Chairman), Water and Air Resources.

MARTIN NESBITT: Constitutional Amendments (Vice Chairman), Courts and Administration of Justice, Finance, Judiciary I (Vice Chairman), Law Enforcement, Local Government II, Pensions and Retirement, Small Business (Chairman).

CHARLES OWENS: Education, Finance, Human Resources, Law Enforcement, Local Government I, Natural and Economic Resources, State Properties, Water and Air Reources.

HARRY PAYNE: Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Natural and Economic Resources, Appropriations Expansion Budget Committee on Natural and Economic Resources, Banks and Thrift Institutions, Courts and Administration of Justice (Vice Chairman), Higher Education, Highway Safety, Judiciary I (Vice Chairman), Law Enforcement, Manufacturers and Labor, Public Utilities (Vice Chairman), Rules.

MURRAY P. POOL: Agriculture, Alcoholic Beverage Control, Finance, Law Enforcement, Local Government I, Mental Health, Small Business, Water and Air Resources.

J. REID POOVEY: Constitutional Amendments, Election Laws, Finance, Military and Veterans Affairs, State Government, State Personnel, Transportation, Wildlife Resources.

PAUL PULLEY: Banks and Thrift Institutions (Vice Chairman), Finance, Housing, Judiciary IV (Chairman), Local Government I, Manufacturers and Labor (Vice Chairman), Rules, Water and Air Resources.

DWIGHT QUINN: Aging, Employment Security (Vice Chairman), Finance (Chairman), Health, Judiciary III, Manufacturers and Labor, Pensions and Retirement, Public Utilities, Rules (Vice Chairman).

TOM RABON: Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Human Resources, Appropriations Expansion Budget Committee on Human Resources, Banks and Thrift Institutions (Vice Chairman), Cultural Resources, Energy, Higher Education, Highway Safety, Manufacturers and Labor (Chairman), Public Utilities.

FRANK REDDING: Corporations, Education, Finance, Highway Safety, Judiciary III, Law Enforcement, Natural and Economic Resources, Water and Air Resources.

THOMAS RHODES: Cultural Resources, Education, Finance, Insurance, Local Government II, Pensions and Retirement, University Board of Governors Nominating Committee, Water and Air Resources.

JOE ROBERTS: Constitutional Amendments, Courts and Administration of Justice, Election Laws, Finance, Judiciary II, Local Government II, Manufacturers and Labor, State Personnel.

GEORGE S. ROBINSON: Banks and Thrift Institutions, Employment Security, Finance, Health, Judiciary I, Manufacturers and Labor, Military and Veterans Affairs, Public Utilities.

MARY P. SEYMOUR: Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on General Government (Vice Chairman), Appropriations Expansion Budget Committee on General Government (Vice Chairman), Banks and Thrift Institutions, Health (Vice Chairman), Insurance, Judiciary I, Local Government II, Public Utilities (Chairman), University Board of Governors Nominating Committee (Vice Chairman).

ROBERT L. SLAUGHTER: Agriculture, Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Justice and Public Safety, Appropriations Expansion Budget Committee on Justice and Public Safety, Health, Higher Education, Highway Safety, Judiciary III, Law Enforcement, Small Business, Transportation.

****J. RAY SPARROW:** Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Human Resources, Appropriations Expansion Budget Committee on Human Resources, Banks and Thrift Institutions, Cultural Resources, Economy, Employment Security, Energy, Housing, Judiciary I, and Mental Health.

****Appointed to replace Representative Cook.

KENNETH B. SPAULDING: Appropriations Base Budget (Vice Chairman), Appropriations Expansion Budget (Vice Chairman), Appropriations Base Budget Committee on General Government, Appropriations Expansion Budget Committee on General Government (Chairman), Constitutional Amendments (Vice Chairman), Courts and Administration of Justice, Economy, Election Laws, Judiciary II (Vice Chairman), Local Government II, University Board of Governors Nominating Committee.

LeROY P. SPOON, JR.: Alcoholic Beverage Control, Corrections, Finance, Highway Safety, Judiciary II, Mental Health, Military and Veterans Affairs, Rules.

MARGARET STAMEY: Aging, Commercial Fishing, Education, Finance, Highway Safety, Judiciary II, Law Enforcement, State Government.

MARGARET TENNILLE: Appropriations Base Budget (Vice Chairman), Appropriations Expansion Budget (Vice Chairman), Appropriations Base Budget Committee on Justice and Public Safety (Chairman), Appropriations Expansion Budget Committee on Justice and Public Safety, Banks and Thrift Institutions, Economy (Vice Chairman), Human Resources, Judiciary IV, Public Utilities (Vice Chairman), Rules, University Board of Governors Nominating Committee.

BETTY DORTON THOMAS: Aging, Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Education, Appropriations Expansion Budget Committee on Education, Banks and Thrift Institutions (Vice Chairman), Higher Education (Chairman), Human Resources, Judiciary III, State Government (Vice Chairman), University Board of Governors Nominating Committee.

J. PAUL TYNDALL: Commercial Fishing, Education, Finance, Mental Health, Military and Veterans Affairs, Pensions and Retirement, Public Utilities, Wildlife Resources.

HENRY M. TYSON: Agriculture, Alcoholic Beverage Control, Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Natural and Economic Resources, Appropriations Expansion Budget Committee on Natural and Economic Resources, Health, Insurance, Public Utilities (Vice Chairman), State Properties (Chairman), Water and Air Resources (Vice Chairman).

JOHN W. VARNER: Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Human Resources, Appropriations Expansion Budget Committee on Human Resources, Commissions and Schools for the Blind and Deaf (Vice Chairman), Corrections, Employment Security, Health, Human Resources (Vice Chairman), Mental Health, Military and Veterans Affairs (Chairman).

ED N. WARREN: Agriculture (Vice Chairman), Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Education (Vice Chairman), Appropriations Expansion Budget Committee on Education (Vice Chairman), Banks and Thrift Institutions, Corrections, Education, Higher Education (Vice Chairman), Judiciary III, Local Government I, Rules.

WILLIAM THOMAS WATKINS: Appropriations Base Budget, Appropriations Expansion Budget (Chairman), Constitutional Amendments, Courts and Administration of Justice (Vice Chairman), Economy, Election Laws, Health, Housing, Judiciary IV (Vice Chairman), Small Business, Wildlife Resources.

DENNIS A. WICKER: Courts and Administration of Justice (Vice Chairman), Election Laws, Finance, Highway Safety (Vice Chairman), Judiciary II, Law Enforcement (Chairman), Military and Veterans Affairs, Small Business, Transportation.

TOM C. WOMBLE: Banks and Thrift Institutions, Corrections, Education, Finance, Governmental Ethics, Health, Law Enforcement, Wildlife Resources.

BARNEY PAUL WOODARD: Agriculture (Vice Chairman), Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Human Resources, Appropriations Expansion Budget Committee on Human Resources, Commissions and Schools for the Blind and Deaf, Employment Security, Health (Chairman), Highway Safety, Judiciary III, State Personnel (Vice Chairman).

CHARLES D. WOODARD: Aging, Appropriations Base Budget, Appropriations Expansion Budget, Appropriations Base Budget Committee on Human Resources, Appropriations Expansion Budget Committee on Human Resources, Education, Human Resources, Judiciary II, Law Enforcement, Mental Health, Military and Veterans Affairs.

RICHARD WRIGHT: Alcoholic Beverage Control, Courts and Administration of Justice, Employment Security, Finance, Judiciary II (Chairman), Military and Veterans Affairs (Vice Chairman), Public Utilities, Rules (Vice Chairman).

1983 HOUSE OF REPRESENTATIVES OFFICERS AND STAFF

OFFICE OF THE SPEAKER	
Speaker	Liston B. Ramsey
Administrative Officer	Dot Barber
Counsel to Speaker	Jim Long
Special Assistant to Speaker	Russell Clay
Executive Secretary to Counsel	Jean Mims
Administrative Assistant & Page Coordinator	Nan Mobley
OFFICE OF THE SPEAKER PRO TEMPORE	
Speaker Pro Tempore	Allen C. Barbee
Secretary	Judy Cobb
OFFICE OF THE PRINCIPAL CLERK	
Principal Clerk	Grace A. Collins
Assistant to Principal Clerk	Annie T. Teague
Calendar Clerk	Shirley P. Capps
Assistant Calendar Clerks	Jean Hicks
	Dot R. Penny
	Barbara Smith
	Jeanette Smith
Journal Clerk	Grace (Mack) Shuford
Assistant Journal Clerks	Joe Burroughs
	Emily Conn
	Carmen Wimberley
Journal Computer Operators	Anne Cooke
	June Greeson
	Lois Wilkerson
READING CLERK	Sam J. Burrow, Jr.
OFFICE OF THE SERGEANT-AT-ARMS	
Sergeant-at-Arms	Larry P. Eagles
Deputy Sergeant-at-Arms	James B. Taylor
Assistant Sgts.-at-Arms	John A. Bason
	Erick A. Bumgardner
	Robin B. Capps
	Michael Cardwell
	Elizabeth G. Clark
	Michael Cochrane
	George B. Currin
	William A. Davis
	Elliott Honeycutt
	James E. Long, Jr.
	Britt Musselwhite
	Cooper P. Peel
	Kathryn Nesbitt
	William M. Nesbitt
	Marsha R. Nobles
	Shelia R. Perry
	David Weems

1983
HOUSE COMMITTEE CLERKS AND SECRETARIES

Anne Cole, Supervisor

CLERKS AND SECRETARIES	COMMITTEE
Agnell, Audrey	Manufacturers and Labor
Amos, Brenda	
Andrews, Dorothy	
Andrews, Joan	Employment Security
Avent, Irma Jean	
Beason, Janet	
Black, Kathleen	Approp. Base Budget Human Resources
Blair, Gloria	
Bland, Cynthia	Energy
Blanton, Nancy	
Blow, Karen	Approp. Expansion Budget
Boone, Lynda	
Boyette, Mandy	
Braswell, Julia	Public Utilities
Bullard, Hayden	Small Business
Burden, Lila	
Caldwell, Wilma	
Capps, Mary	Mental Health
Cave, Claudia	
Clark, Judy	
Cline, Alice	Education
Coley, Lucinda	
Cone, Janice	
Crocker, Dorothy	Univ. Bd. of Governors Nominating Committee
Currie, Virginia	
Cyrus, Billie Marie	Water & Air Resources
Day, Patricia	Aging
Dixon, Martha	Health
Dockery, Margaret	Corrections
Donnell, Melissa	
Douglas, Janice	
Dunn, Emilie	
Eckerman, Margaret	Commercial Fishing
Edwards, Ada	Local Government I
Edwards, Virginia	Approp. Expansion Budget Education
Ennis, Patricia	
Everett, Rebecca	Approp. Base Budget Human Resources
Farrell, Edythe	
Finch, Mary Ann	
Fitzgerald, Gayle	Local Government II
Fowler, Nancy	Judiciary I
Gallaher, Christine	

Goodwin, Melba	Natural & Economic Resources
Graham, Maribeth	
Guthrie, Pickett	Approp. Expansion Budget
	Human Resources
Hamby, Jackie	Transportation
Hawkins, Joan	Wildlife Resources
Heath, Mary Ellen	
Hedgepeth, Martha	
Henderson, Surena	
Herndon, Nell	
Hiatt, Gina	
Hodge, Joyce	Approp. Expansion Budget
	General Government
Hogan, Peggy Anne	
Hoppa, Eileen	Judiciary IV
Huggins, Sharon	
Hunt, Jane	
Hurst, Adrienne	
Ingram, Dorothy	
Jeans, Janie	
Jones, Barbara C.	Economy
Jones, Barbara G.	
Jones, Glenda	
Joslin, Carolyn	Court & Administration
	of Justice
Kemp, Faye	
Lambert, Ann	Approp. Base Budget
	Justice & Public Safety
Lambeth, Connie	
Lamson, Mary Bryant	State Government
Leach, Linda	
Lewis, Lou Ellen	Pensions and Retirement
Miller, Ann	
Miller, Daladier	
Mitchell, Frances	Approp. Base Budget — Education
Moore, Doris	Approp. Base Budget
Moore, Mary	Banks and Thrift Institutions
Moore, Susan	
Moore, Vicki	
Moore, Wanza	
Morgan, Wanda	Manufacturers and Labor
Murray, Rosa	
McAlister, Rachel	
McCann, Virgina	
McKay, Elizabeth	
Nemitz, Carol	
Nichols, Barbara	Insurance
Osborne, Sue	State Properties
Pearce, Lillie	Judiciary II
Peele, Nell	Constitutional Amendments
Phillips, Shirley	Finance
Pittman, Jacquelyne	
Pittman, Lou Ann	

Poindexter, Margaret	Approp. Expansion Budget — Natural and Economic Resources
Poole, Barbara	
Pope, Judy	
Porter, Brenda	Commissions and Schools for Blind & Deaf
Prescott, Mollie	Approp. Base Budget — Natural and Economic Resources
Priest, Mary	
Pugh, Ruth	
Reimers, Claire	
Reynolds, Emily	Alcohol Beverage Control
Robey, Judy	Local Government II
Sheets, Marie	Agriculture
Simpkins, Bettie	State Personnel
Simpson, Camille	
Sinclair, Mary	Law Enforcement
Smith, Elizabeth	Judiciary IV
Snakenburg, Marie	
Stainback, Ferebee	
Stancil, Ann	Human Resources
Stephenson, Linda	Commercial Fishing
Stigelman, Carol	
Strange, Wendy	
Swindell, Martha	Appropriations Base Budget — General Government
Sykes, Betsy	Rules and Operation of the House
Thompson, Lucille	Judiciary III
Tilson, Judith	Corporations
Treece, Brenda	
Underwood, Lois	
Varner, John W., Jr.	Military and Veterans Affairs
Wallace, Dorothy	
Watson, Helyn	Highway Safety
Wehrle, Joyce	Governmental Ethics
West, Helen	Approp. Expansion Budget — Justice and Public Safety
Whiting, Mary	
Williams, Carolyn	Housing
Williams, Dorothy	Corrections
Williams, Geretta	
Willis, Judith	Cultural Resources
Wilson, Anne	Higher Education
Wood, Mary Lib	Election Laws
Yow, Frances	
Zevenhuizen, Kathryn	Military and Veterans Affairs

APPOINTMENTS BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO CONFERENCE COMMITTEES OF THE SOUTHERN LEGISLATIVE CONFERENCE OF THE COUNCIL OF STATE GOVERNMENTS 1983 – 1984

EXECUTIVE	Liston B. Ramsey, Speaker
AGRICULTURE AND RURAL DEVELOPMENT	Rep. Vernon C. James, Chmn. Mrs. Sarah Fuerst (Staff Attorney)
CONSUMER PROTECTION	Rep. Anne Barnes Mr. Bill Hale (Staff Attorney)
CRIMINAL JUSTICE	Rep. Robert C. Hunter Mr. A. W. Turner, Jr. (Staff Attorney)
ENERGY	Rep. Joe Hackney Mr. Daniel Long (Staff Attorney)
ENVIRONMENTAL QUALITY AND NATURAL RESOURCES	Rep. Bruce Ethridge Mr. Jim Blackburn (Staff Attorney)
FEDERAL PREEMPTION	Rep. Bertha M. Holt Mr. Gerry Cohen (Dir., Legislative Drafting)
FISCAL AFFAIRS AND GOVERNMENT OPERATIONS	Rep. William T. Watkins Rep. Allen Adams Mr. George Hall (Legislative Services Officer) Mr. Terry Sullivan (Dir. of Research)
HUMAN RESOURCES AND URBAN AFFAIRS	Rep. Louise Brennan Mr. James Johnson (Senior Fiscal Analyst)
TRANSPORTATION	Rep. N. James Crawford Mr. James Newlin (Senior Fiscal Analyst)

APPOINTMENTS BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO STATE-FEDERAL ASSEMBLY OF THE NATIONAL CONFERENCE OF STATE LEGISLATURES 1983 – 1984

Agriculture, Food Policy and Nutrition	Rep. Ed Warren
Art, Tourism and Cultural Resources	Rep. Martin Lancaster (Alternate)

Education and Job Training	Rep. Jo Graham Foster
Energy	Rep. Tom Rabon, Jr.
Government Operations	Rep. Martin Nesbitt
Housing and Economic Development	Rep. George Brannan
Human Resources	Rep. Sam Beam
Law and Justice	Rep. Dennis Wicker
Natural Resources and Environment	Rep. Robert McAlister
Pensions	Rep. Joe Mavretić
Transportation and Communications	Rep. David Bumgardner

APPOINTMENTS BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES TO NATIONAL CONFERENCE OF STATE LEGISLATURES ASSEMBLY ON THE LEGISLATURE 1983 – 1984

Arts and Historic Preservation	Rep. Marie Colton
Commerce, Labor and Economic Development	Rep. John Church
Fiscal Affairs and Oversight	Rep. William Watkins Rep. Al Adams
Legislative Organization and Management	Mrs. Grace Collins
Science, Technology and Resource Planning	Rep. Harry Payne, Jr.
State Government Issues and Organization	Rep. Dan T. Lilley, Chairman

APPOINTMENTS BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES 1983–84 TO SOUTHERN LEGISLATIVE CONFERENCE STATE LEGISLATORS' NETWORK

Congressional District	*House Appointee*
1st	Rep. Ed N. Warren
2nd	Rep. Allen C. Barbee
3rd	Rep. Dennis A. Wicker
4th	Rep. Marvin Musselwhite, Jr.
5th	Rep. Margaret Tennille
6th	Rep. Timothy H. McDowell
7th	Rep. Richard Wright
8th	Rep. Dwight W. Quinn
9th	Rep. James Black
10th	Rep. D. R. Mauney, Jr.
11th	Rep. Charles Beall

BOARDS AND COMMISSIONS
APPOINTMENTS BY THE SPEAKER
OF THE HOUSE OF REPRESENTATIVES

	Appointed	*Expires*
ADMINISTRATIVE PROCEDURE ACT STUDY COMMITTEE		
Resolution 51, 1983 S. L. (HJR 1345)		
Rep. Watkins, Co-chairman	9-15-83	
Rep Adams	9-15-83	
Rep. Beam	9-15-83	
Rep. Lee	9-15-83	
Rep. Miller	9-15-83	
Rep. Payne	9-15-83	
Rep. Slaughter	9-15-83	
GOVERNOR'S ADMINISTRATIVE RULES REVIEW COMMITTEE		
G. S. 143B-29.1		
Howard F. Twiggs	11-1-83	10-31-85
George A. Hux	11-1-83	10-31-85
Ms. Catharine Biggs Arrowood	11-1-83	10-31-85
ADVISORY BUDGET COMMISSION		
G. S. 143-4; (C. 48, 1983 S. L.; H. B. 25)		
Rep. Adams	1-13-83	1-15-85
Rep. Enloe	1-13-83	1-15-85
Rep. Foster	1-13-83	1-15-85
Rep. Jeralds	3-4-83	1-15-85
Rep. Quinn	3-4-83	1-15-85
GOVERNOR'S ADVISORY COUNCIL ON AGING		
G. S. 143B-181		
Mrs. Juanita S. Dixon	7-6-82	6-30-86
Albert Martin	10-28-80	6-30-84
AGRICULTURE, FORESTRY AND SEAFOOD AWARENESS STUDY COMMISSION		
(C. 915, 1983 S. L.; H. B. 1169)		
Rep. James, Co-chairman	8-12-83	1-1-85
Rep. Enloe	8-12-83	1-1-85
Rep. Lutz	8-12-83	1-1-85
Rep. Robinson	8-12-83	1-1-85
ALARM SYSTEMS LICENSING BOARD		
G. S. 74D-4; (C. 786, 1983 S. L.; H. B. 709)		
W. Carson Ellis	10-1-83	9-30-86
ARCHAEOLOGICAL ADVISORY COMMITTEE		
G. S. 143B-66		
Rep. B. Holt	8-9-83	6-30-87
BOARD OF TRUSTEES OF THE NORTH CAROLINA MUSEUM OF ART		
G. S. 140-5.13		
Mrs. Margaret Taylor	7-27-83	6-30-85

	Appointed	*Expires*
COMMITTEE ON ART IN STATE BUILDINGS		
G. S. 143-408.4		
Douglas C. Forrest	7-27-83	6-30-85
STATE BANKING COMMISSION		
(C. 328, 1983 S. L.; S. B. 117; H. B. 1469)		
Robert H. Gage	7-27-83	4-1-87
CONSUMER AND ADVOCACY ADVISORY COMMITTEE FOR THE BLIND		
G. S. 143B-164		
Rep. Fenner	8-10-83	6-30-85
NORTH CAROLINA CAPITAL BUILDING AUTHORITY		
G. S. 129-40		
Charles E. Hubbard	7-27-83	6-30-85
Jimmy L. Moore	7-27-83	6-30-85
NORTH CAROLINA CAPITAL PLANNING COMMISSION		
G. S. 143B-374		
Rep. Adams	1-20-83	12-31-84
Rep. Musselwhite	1-20-83	12-31-84
Rep. Stamey	1-20-83	12-31-84
Rep. Tyson	1-20-83	12-31-84
ADVISORY COMMITTEE ON ABANDONED CEMETERIES		
G. S. 143B-128		
Rep. Greenwood	9-15-83	6-30-87
CHILD AND FAMILY SERVICES INTERAGENCY COMMITTEE		
(FORMERLY NEW GENERATION)		
G. S. 143B-426.3		
Rep. Brenman	9-23-83	2-1-85
CHILD DAY CARE LICENSING COMMISSION		
G. S. 143B-376		
Mrs. Lois Queen	12-16-81	12-31-84
Ms. Pamela J. Uzzle	2-3-82	12-31-84
GOVERNOR'S ADVOCACY COUNCIL ON CHILDREN AND YOUTH		
G. S. 143B-415		
Rep. Jones	8-10-83	6-30-85
Rep. Womble	8-10-83	6-30-85
COMMISSION ON CHILDREN WITH SPECIAL NEEDS		
G. S. 120-58; (C. 863, 1983 S. L.; S. B. 59)		
Rep. Hayden	8-23-83	1985
Rep. Fenner	8-23-83	1985
Rep. James	8-23-83	1985
Cornelius Hunt (public member)	8-23-83	1985

	Appointed	*Expires*
COUNCIL ON EDUCATIONAL SERVICES FOR EXCEPTIONAL CHILDREN		
G. S. 115-121		
Rep. Warren	8-11-83	6-30-85
Rep. Hauser	8-11-83	6-30-85
STATE BOARD OF CHIROPRACTIC EXAMINERS		
G. S. 90-139 and 90-140		
Dr. G. Kenneth Miller	7-7-82	6-30-85
NORTH CAROLINA CODE OFFICIALS QUALIFICATION BOARD		
G. S. 143-151.9(a)		
W. P. Watson (electrical contractor)	10-6-80	6-30-84
Perry Plemmons (plumbing contractor)	7-30-81	6-30-85
W. Howard Liner (residential contractor)	8-11-81	6-30-85
Howard V. Page (non-residential contractor)	8-10-83	6-30-87
BOARD OF STATE CONTRACT APPEALS		
G. S. 143-135.9; (C. 761, 1983 S. L., S. B. 23)		
Everett Carnes	8-29-83	6-30-84
NORTH CAROLINA COURTS COMMISSION		
G. S. 7A-506; (C. 774, 1983 S. L.; H. B. 905)		
Rep. Lee	8-11-83	6-30-85
Judge David M. Britt	8-11-83	6-30-85
Ralph S. Knott, Clerk of Court	8-11-83	6-30-85
Rep. Hunter	8-11-83	6-30-87
Rep. Musselwhite	8-11-83	6-30-87
Rep. Wicker	8-11-83	6-30-87
GOVERNOR'S CRIME COMMISSION		
G. S. 143B-478		
Rep. Hackney	8-8-83	2-28-85
Rep. Ballance	8-8-83	2-28-85
CRIMINAL CODE REVISION STUDY COMMITTEE		
(C. 921, 1983 S. L.; H. B. 1379)		
Rep. Blue, Co-chairman	8-22-83	1-1-85
Rep. McDowell	8-22-83	1-1-85
Rep. Roberts	8-22-83	1-1-85
Rep. Slaughter	8-22-83	1-1-85
Dr. Leon H. Corbett (Wake Forest University)	8-22-83	1-1-85
Steve Martin (criminal attorney)	8-22-83	1-1-85
NORTH CAROLINA CRIMINAL JUSTICE EDUCATION AND TRAINING STANDARDS COMMISSION		
G. S. 17C-3; (C. 1191, 1981 S. L.; C. 886, 1983 S. L.)		
Sankey Wright Robinson	7-27-83	6-30-85
CRIMINAL JUSTICE INFORMATION SYSTEM AND COMPUTERIZED RECORDS STUDY COMMISSION		
(C. 825, 1983 S. L.; H. B. 935)		
Rep. Miller, Co-chairman	8-22-83	12-31-84
Rep. Coble	8-22-83	12-31-84

	Appointed	*Expires*
Rep. Colton	8-22-83	12-31-84
J. Michael Carpenter (Spec. Prosecution, AG Office)	8-22-83	12-31-84
Buddy R. McKinney (Sheriff)	8-22-83	12-31-84
Frank Watson, Jr. (Clerk of Court)	8-22-83	12-31-84
BOARD OF TRUSTEES OF THE N.C. PUBLIC EMPLOYEE DEFERRED COMPENSATION PLAN		
G. S. 143B-426.31; (C. 559, 1983 S. L.; S. B. 280; C. 886, 1983 S. L.; H. B. 1469)		
Adam Bartlett, Jr.	7-27-83	6-30-85
DISABILITY REVIEW COMMISSION		
(C. 880, 1983 S. L.; S. B. 570)		
Rep. Edwards	9-1-83	4-30-84
Rep. Varner	9-1-83	4-30-84
GOVERNOR'S ADVOCACY COUNCIL FOR PERSONS WITH DISABILITIES		
G. S. 143B-403.2; (C. 886, 1983 S. L.)		
Mrs. Pat Lloyd	7-27-83	6-30-85
ADVISORY COMMITTEE ON PROTECTION AND ADVOCACY OF THE GOVERNOR'S ADVOCACY COUNCIL FOR PERSONS WITH DISABILITIES		
G. S. 143B-10		
Rep. Musselwhite	4-20-83	12-31-84
DISCIPLINARY HEARING COMMISSION OF THE NORTH CAROLINA STATE BAR		
G. S. 84-28.1		
John W. Beach	7-20-82	6-30-85
BOARD OF DIRECTORS OF THE ECKERD WILDERNESS EDUCATIONAL SYSTEM OF NORTH CAROLINA		
(By-Laws of Eckerd Wilderness)		
Rep. Brennan	7-7-82	6-20-85
Rep. Tyndall	8-10-83	6-30-84
ECONOMIC DEVELOPMENT BOARD		
G. S. 143B-434		
C. Randall Rabon (Speaker's Designee)	3-22-83	12-31-84
EDUCATION COMMISSION OF THE STATES		
G. S. 115C-104		
Rep. Foster	8-10-83	6-30-85
NORTH CAROLINA EDUCATION COUNCIL		
G. S. 115C-105		
Rep. Foster	8-10-83	6-30-85
STATE BOARD OF EDUCATION PROGRAM FOR BASIC AND VOCATIONAL SKILLS AT GRADES SEVEN & EIGHT		
(C. 340, 1983 S. L.; S. B. 374)		
Mrs. Shirley J. Babcock	6-17-83	
Ms. Carol A. Lincoln	6-17-83	
Earl Hooper	6-17-83	

	Appointed	*Expires*
EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL		
G. S. 143-510		
Rep. Beall	8-10-83	12-31-84
Rep. Beard	8-10-83	12-31-84
COMMITTEE ON EMPLOYEE HOSPITAL AND MEDICAL BENEFITS		
G. S. 135-38		
Rep. Barbee, Speaker Pro-Tem	1-27-83	12-31-84
Rep. Watkins, Co-chairman	1-27-83	12-31-84
Rep. Quinn	1-27-83	12-31-84
Rep. Brannan	1-27-83	12-31-84
Rep. Miller	9-20-83	6-30-85
Rep. McDowell	9-20-83	6-30-85
ENERGY POLICY COUNCIL		
G. S. 113B-3		
Rep. Hackney	8-10-83	1-31-85
Rep. Locks	8-10-83	1-31-85
ENVIRONMENTAL MANAGEMENT COMMISSION		
G. S. 143B-283		
Charles Pinkney Francis	7-27-83	6-30-85
Dr. Garrett A. Smathers	7-27-83	6-30-85
LEGISLATIVE ETHICS COMMITTEE		
G. S. 120-99		
Rep. Evans	1-27-83	12-31-84
Rep. Easterling	1-27-83	12-31-84
Rep. Holmes	1-27-83	12-31-84
Rep. Keesee-Forrester	1-27-83	12-31-84
STATE FARM OPERATIONS COMMISSION		
G. S. 106-26.13		
Clifton H. Moore	7-27-83	6-30-85
NORTH CAROLINA FARM WORKER COUNCIL		
G. S. 143B-426.30; (S. B. 313, Sec. 205, 1983 Session)		
Rep. Fulcher	8-11-83	
Rep. Tyson	8-11-83	
STATE FIRE COMMISSION		
G. S. 143B-481		
Ernest Leroy Carraway	7-27-83	6-30-85
SPECIAL LEGISLATIVE COMMITTEE TO STUDY FIRE SERVICE TRAINING PROGRAMS		
(C. 761, 1983 S. L.; S. B. 23, Sec. 20)		
Rep. Gillam, Co-chairman	8-11-83	12-31-84
Rep. Bowen	8-11-83	12-31-84
Rep. DeVane	8-11-83	12-31-84
Rep. Fletcher	8-11-83	12-31-84
GENERAL STATUTES COMMISSION		
G. S. 164-14		
Rep. Clark	6-1-83	5-31-85

	Appointed	*Expires*
JOINT LEGISLATIVE COMMISSION ON GOVERNMENTAL OPERATIONS		
G. S. 120-74		
Speaker Ramsey (Ex-officio)	8-5-83	1-15-85
Rep. Barbee (Ex-officio)	8-5-83	1-15-85
Rep. Beam	8-5-83	1-15-85
Rep. Holt	8-5-83	1-15-85
Rep. Nesbitt	8-5-83	1-15-85
Rep. Watkins	8-5-83	1-15-85
Rep. Etheridge	3-3-83	1-15-85
GREAT BRITAIN — 400th ANNIVERSARY CEREMONIES		
SJR 584		
Speaker appoints delegation of members to attend		
HAZARDOUS WASTE STUDY COMMISSION		
(C. 926, 1983 S. L.; S. B. 701)		
Rep. Nesbitt, Co-chairman	8-24-83	5-1-84
Rep. Murphy	8-24-83	5-1-84
Rep. Pulley	8-24-83	5-1-84
William E. Holman (environmentalist)	8-24-83	5-1-84
J. Patrick Price (industry)	8-24-83	5-1-84
NORTH CAROLINA HEALTH CARE EXCESS LIABILITY FUND BOARD OF GOVERNORS		
G. S. 58-254.23		
(Inactive)		
NORTH CAROLINA COUNCIL FOR THE HEARING IMPAIRED		
G. S. 143B-214		
Rep. Fenner	8-9-83	6-30-85
NORTH CAROLINA HOUSING COMMISSION		
G. S. 147-33.10; (C. 778, 1983 S. L.; H. B. 265)		
Mrs. Mickey Hanula	7-27-83	6-30-85
Michael E. Ferguson	7-27-83	6-30-86
Jimmy L. Moore	7-27-83	6-30-86
NORTH CAROLINA HOUSING FINANCE AGENCY BOARD OF DIRECTORS		
G. S. 122A-4		
Mrs. Mickey Hanula (non-categorical)	7-27-83	6-30-85
A. Bruce Levin (non-categorical)	7-27-83	6-30-85
Michael E. Ferguson (realtor)	7-27-83	6-30-85
William W. Whittington (mortgage service)	7-27-83	6-30-85
NORTH CAROLINA HUMAN RELATIONS COUNCIL		
G. S. 143B-392; (C. 461, 1983 S. L.; H. B. 702)		
Rep. Kennedy	8-10-83	6-30-86
Rep. Jarrell	8-10-83	6-30-86
HUMAN TISSUE ADVISORY COUNCIL		
G. S. 130A-414; (C. 891, 1983 S. L.; S. B. 141)		
(Repealed 1-1-84)		
Rep. Grimsley	8-9-83	1-1-84

	Appointed	*Expires*
COMMITTEE ON INAUGURAL CEREMONIES		
G. S. 145-533		
(Three Representatives) Inactive until 1984		
COMMITTEE FOR INCENTIVE PAY FOR STATE EMPLOYEES		
G. S. 126-64; (Rewritten by S. B. 437, C. 871, 1983 S. L.)		
George T. Rogister, Jr.	6-22-82	6-30-84
NORTH CAROLINA COMMISSION OF INDIAN AFFAIRS		
G. S. 143B-407; (C. 886, 1983 S. L.; H. B. 1469)		
Arnold Locklear	7-27-83	6-30-85
STATE INMATE LABOR COMMISSION		
G. S. 148-26.3(a)		
Rep. McDowell	8-9-83	6-30-85
PUBLIC OFFICERS AND EMPLOYEES LIABILITY INSURANCE COMMISSION		
G. S. 143B-422		
Ray P. Rouse	7-27-83	6-30-85
NORTH CAROLINA INTERNSHIP COUNCIL		
G. S. 143B-418		
George Peery	8-9-83	6-30-85
NORTH CAROLINA COUNCIL ON INTERSTATE COOPERATION		
G. S. 143B-380		
Rep. Stamey (Speaker's Designee)	9-14-83	6-30-85
Rep. Ballance	9-14-83	6-30-85
Rep. Sparrow	9-14-83	6-30-85
Rep. C. Woodard	9-14-83	6-30-85
JUDICIAL NOMINATING COMMITTEE FOR SUPERIOR COURT JUDGES		
Executive Order Number 79 (Amends Orders Nos. 12, 24, 30, 52, 71)		
R. Lee Farmer (Yanceyville)	10-13-81	12-31-84
Jim Barlow (West Jefferson)	10-31-81	12-31-84
Rep. Charles Beall	9-16-81	12-31-84
Linn B. Hollowell, Jr. (Gastonia)	9-16-81	12-31-84
JUVENILE LAW STUDY COMMISSION		
G. S. 7A-740		
James Morgan	8-6-80	6-30-84
Rep. Barnes	7-1-82	6-30-84
LAND CONSERVANCY CORPORATION BOARD OF DIRECTORS		
G. S. 113A-137 (Never active)		
BOARD OF COMMISSIONERS OF THE LAW ENFORCEMENT OFFICERS BENEFIT AND RETIREMENT FUND		
G. S. 143-166(b) (5), amended by C. 1191, 1981 S. L.		
Theo H. Pitt, Jr.	7-27-83	6-30-85

	Appointed	*Expires*
LEGISLATIVE RESEARCH COMMISSION		
G. S. 120-30.10, as amended by C. 63, 1981 S. L. (H. B. 1650)		
Rep. Barker	8-5-83	11-23-84
Rep. Church	8-5-83	11-23-84
Rep. Hunt	8-5-83	11-23-84
Rep. Ethridge	8-5-83	11-23-84
Rep. Tennille	8-5-83	11-23-84
LEGISLATIVE SERVICES COMMISSION		
G. S. 120-31		
Rep. Barbee	5-16-83	12-31-84
Rep. Blue	5-16-83	12-31-84
Rep. Colton	5-16-83	12-31-84
Rep. Evans	5-16-83	12-31-84
Rep. Hightower	5-16-83	12-31-84
Rep. Watkins	5-16-83	12-31-84
LOCAL GOVERNMENT ADVOCACY COUNCIL		
G. S. 143-506.14		
Rep. Beall	8-9-83	1-15-85
Rep. Owens	8-9-83	1-15-85
LOCAL GOVERNMENT COMMISSION		
G. S. 159-3		
William G. Stamey	7-1-81	6-30-85
MAJOR MEDICAL PLAN, BOARD OF TRUSTEES OF THE TEACHERS' AND STATE EMPLOYEES' COMPREHENSIVE		
G. S. 135-39		
Thomas J. Hackney, Jr.	7-27-83	6-30-85
John T. King	7-27-83	6-30-85
James D. Tomberlin	9-23-83	6-30-84
NORTH CAROLINA MANUFACTURED HOUSING BOARD		
G. S. 143-143.10		
Robert Kirby	7-27-83	9-30-85
Gareth Jones	7-27-83	9-30-85
COMMISSION ON MEDICAL COST CONTAINMENT		
(C. 875, 1983 S. L.; S. B. 518)		
Rep. Black, Co-chairman	9-9-83	4-1-85
Rep. B. P. Woodard	9-9-83	4-1-85
Carson Bain (Hospital trustee)	9-9-83	4-1-85
Mrs. Jimmie Butts (R.N.)	9-9-83	4-1-85
Mrs. Helen Goldstein (Public member)	9-9-83	4-1-85
William W. Eller (Health insurer)	9-9-83	4-1-85
COMMISSION FOR MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES		
G. S. 143B-148		
Rev. J. Murphy Smith	7-27-83	6-30-85
Ben W. Aiken	7-27-83	6-30-85

	Appointed	*Expires*
MENTAL HEALTH STUDY COMMISSION		
(C. 268, 1983 S. L.; S. B. 103)		
Rep. Barker	8-9-83	7-1-85
Rep. Beard	8-9-83	7-1-85
Rep. Economos	8-9-83	7-1-85
Rep. Hauser	8-9-83	7-1-85
Rep. Lutz	8-9-83	7-1-85
NORTH CAROLINA MILK COMMISSION		
G. S. 106-266.7 (amended by C. 717, 1983 S. L.; H. B. 53)		
Mrs. Kathryn Kirkpatrick (Public)	7-27-83	6-30-84
Russell Davenport (Processor)	7-27-83	6-30-85
MOTOR VEHICLE DEALERS' ADVISORY BOARD		
G. S. 20-305.4		
Bruce Murray (Dealer)	7-22-81	6-30-84
Dan Allison, Jr. (Dealer)	7-6-82	6-30-85
Rep. Childress (Public member)	8-8-83	6-30-86
SELECT COMMITTEE TO STUDY THE NORTH CAROLINA NATIONAL GUARD		
House Resolution 938 (Speaker's Memorandum)		
Rep. Barbee, Chairman	4-29-83	12-31-84
Rep. Wright, Vice-chairman	4-29-83	12-31-84
Rep. Bumgardner	4-29-83	12-31-84
Rep. Nesbitt	4-29-83	12-31-84
Rep. Payne	4-29-83	12-31-84
Rep. Pool	4-29-83	12-31-84
Rep. Rabon	4-29-83	12-31-84
Rep. Rhodes	4-29-83	12-31-84
Rep. Slaughter	4-29-83	12-31-84
Rep. Spoon	4-29-83	12-31-84
Rep. Wicker	4-29-83	12-31-84
GOVERNOR'S COUNCIL ON PHYSICAL FITNESS AND HEALTH		
G. S. 143B-216.9		
Rep. Berry	8-9-83	6-30-85
NORTH CAROLINA BOARD OF PHYSICAL THERAPY EXAMINERS		
G. S. 90-270 (amended by C. 765, 1981 S. L.; H. B. 297) (C. 1191, 1981 S. L.)		
Mrs. Maria Little	1-1-82	12-31-84
NORTH CAROLINA STATE PORTS AUTHORITY		
G. S. 143B-452		
Lewis Morris Fetterman	7-27-83	6-30-85
Frank B. Holding	7-27-83	6-30-85
PRIVATE PROTECTIVE SERVICES BOARD		
G. S. 74C-4		
Paul Davis	7-27-83	6-30-85
Julius Cauble	7-27-83	6-30-86
Bob R. Moye	7-27-83	6-30-84

	Appointed	*Expires*
PROPERTY TAX COMMISSION		
G. S. 143B-223		
Clarence Leatherman	7-27-83	6-30-85
COMMITTEE FOR A COMPREHENSIVE STUDY OF THE PROPERTY TAX SYSTEM IN NORTH CAROLINA		
(C. 838, 1983 S. L.; H. B. 1050)		
Rep. Anderson	8-31-83	2-1-85
Rep. Beall	8-31-83	2-1-85
Rep. Gentry	8-31-83	2-1-85
Rep. Hasty	8-31-83	2-1-85
Rep. Jarrell	8-31-83	2-1-85
Rep. McAlister	8-31-83	2-1-85
Rep. Mavretic	8-31-83	2-1-85
Rep. Warren	8-31-83	2-1-85
Wayne Hooper (Chairman, Jackson Co. Bd. of Com.)	9-8-83	2-1-85
Elmer Jenkins (pres-elect, NC Asso. of Realtors)	9-8-83	2-1-85
Larry J. Powell (Tax Supervisor, Asheville)	9-19-83	2-1-85
PUBLIC EDUCATION POLICY COUNCIL		
(C. 860, 1983 S. L.; H. B. 1307)		
Foster, Co-chairman	8-22-83	12-1-84
Rep. Chapin	8-22-83	12-1-84
Rep. Childress	8-22-83	12-1-84
Rep. Edwards	8-22-83	12-1-84
Rep. Fussell	8-22-83	12-1-84
Rep. Hayden	8-22-83	12-1-84
Rep. Mauney	8-22-83	12-1-84
Rep. Mavretic	8-22-83	12-1-84
Rep. Owens	8-22-83	12-1-84
Rep Poovey	8-22-83	12-1-84
ADVISORY COMMITTEE TO THE NORTH CAROLINA MEMBERS OF LOW-LEVEL RADIOACTIVE WASTE MANAGEMENT COMPACT COM.		
(C. 714, Article IX, Subsection 104F-4; S. B. 196, P. 11)		
Rep. Clark	8-24-83	7-15-85
Rep. N. J. Crawford	8-24-83	7-15-85
BOARD OF TRUSTEES OF THE TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM		
G. S. 135-6		
Theo H. Pitt, Jr.	7-27-83	6-30-85
STATE SCHOOL HEALTH ADVISORY COMMITTEE		
G. S. 115C-81(e)(6)(c)		
Rep. Thomas	7-17-81	6-30-84

	Appointed	*Expires*
NORTH CAROLINA SCHOOL OF SCIENCE AND MATHEMATICS BOARD OF TRUSTEES		
G. S. 115C-223		
David Wyatt	7-27-83	6-30-85
James H. Randolph, III	7-27-83	6-30-85
NORTH CAROLINA BOARD OF SCIENCE AND TECHNOLOGY		
G. S. 143B-441		
Mrs. Helen Roach	7-27-83	6-30-85
NORTH CAROLINA SEAFOOD INDUSTRIAL PARK AUTHORITY		
G. S. 113-315.25		
Stanley Chris Payne	7-27-83	6-30-85
N. C. SHERIFFS' EDUCATION AND TRAINING STANDARDS COMMISSION		
G. S. 17E-1; (C. 558 of 1983 S. L.; S. B. 513)		
E. Y. Ponder (Sheriff, Madison Co.)	9-1-83	8-31-85
SMALL BUSINESS FINANCE STUDY COMMISSION		
(C. 914, 1983 S. L.; H. B. 1045)		
Rep. Nesbitt, Co-chairman	8-11-83	
Rep. Childress	8-11-83	
Rep. Clark	8-11-83	
Rep. Etheridge	8-11-83	
Rep. Gist	8-11-83	
SOUTHERN GROWTH POLICIES BOARD		
G. S. 143-492		
Rep. Lilley	8-9-83	6-30-85
SOUTHERN STATES ENERGY BOARD		
(C. 282, 1983 S. L.; S. B. 253, Art. IX, Sec. 2)		
Rep. Hackney	8-29-83	
Rep. Jordan (Alternate)		
NORTH CAROLINA BOARD FOR NEED-BASED STUDENT LOANS		
G. S. 143-47.21, amended by C. 761, 1983 S. L., Secs. 176-182, S. B. 23)		
Dr. James Colson	7-27-83	7-1-86
Mrs. Lynda B. Cowan	7-27-83	7-1-86
Dr. James D. Reid	7-27-83	7-1-86
NORTH CAROLINA TECHNOLOGICAL DEVELOPMENT AUTHORITY		
(C. 899, 1983 S. L.; H. B. 1122) and H. B. 1, 1983 Extra Session		
Dr. William T. Bird	8-29-83	6-30-85
Dr. Aaron Hyatt	8-29-83	6-30-85
NORTH CAROLINA BOARD OF PUBLIC TELECOMMUNICATIONS COMMISSIONERS		
G. S. 143B-426.9		
Robert L. Martin	7-27-83	6-30-85
Edwin E. Rankin	7-27-83	6-30-85

	Appointed	*Expires*
BOARD OF TRUSTEES OF THE UNC CENTER FOR PUBLIC TELEVISION		
G. S. 116-37.1(b)		
Mrs. Helen Little	8-29-83	6-30-85
BOARD OF TRUSTEES OF THOMS REHABILITATION HOSPITAL		
By-Laws of Thoms Rehab. Hospital, Art. II, Sec. I		
Rep. N. J. Crawford	8-9-83	
Rep. Fletcher	8-9-83	
NORTH CAROLINA BOARD OF TRANSPORTATION		
G. S. 143B-350		
Robert Z. Falls	7-27-83	6-30-85
SPECIAL COMMITTEE TO STUDY THE DEPARTMENT OF TRANSPORTATION		
SJR 258 (Resolution 49, 1983 S. L.)		
Rep. Barbee, Co-chairman	8-22-83	1-1-85
Rep. Anderson	8-22-83	1-1-85
Rep. J. W. Crawford	8-22-83	1-1-85
Rep. Enloe	8-22-83	1-1-85
Rep. Hudson	8-22-83	1-1-85
Rep. Wicker	8-22-83	1-1-85
TRIAD PARK COMMISSION		
(C. 1054, 1979 S. L.; H. B. 181)		
Rep. Seymour	8-22-79	9-1-85
UTILITY REVIEW COMMISSION		
Resolution 100, 1975 S. L.; Resolution 78, 1979 S. L.		
Rep. Huskins	6-8-79	7-1-85
Rep. Miller	6-8-79	7-1-85
Rep. Seymour	9-13-83	7-1-85
VAGABOND SCHOOL OF DRAMA, INC. AND THE FLAT ROCK PLAYHOUSE		
By-Laws of Vagabond School of Drama, Inc. and Flat Rock Playhouse (Art. II, Sec. 1)		
Rep. Colton	1-20-83	2-1-85
Rep. N. J. Crawford	1-20-83	2-1-85
NORTH CAROLINA VETERINARY MEDICAL BOARD		
G. S. 90-182		
Dr. Joseph Robert Nesbitt	7-14-82	6-30-87
GOVERNOR'S WASTE MANAGEMENT BOARD		
G. S. 143B-216.23		
William E. Holman	7-27-83	6-30-85
LEGISLATIVE COMMISSION TO REVIEW WATER POLLUTION PROBLEMS AND WATER RESOURCES NEEDS AND OVERSEE THE NEUSE RIVER BASIN WATER QUALITY MANAGEMENT PLAN		
(C. 924, 1983 S. L.; S. B. 605)		
Rep. Lancaster, Co-chairman	8-29-83	5-1-86

	Appointed	*Expires*
Rep. Brannan	8-29-83	5-1-86
Rep. Sparrow	8-29-83	5-1-86
Jud M. Ammons		
(Non-legislator resident Neuse R. Basin)	8-29-83	5-1-86
William Sparrow		
(Non-legislator resident Neuse R. Basin)	8-29-83	5-1-86

WILDLIFE RESOURCES COMMISSION

G. S. 143-240		
Donald Allen Thompson	7-27-83	6-30-85

LEGISLATIVE RESEARCH COMMISSION STUDIES
1983 – 1984

Appointments by Speaker | **Appointments by Senate President Pro Tempore**

Legislative Research Commission

Speaker Liston B. Ramsey, Cochairman
Rep. Chris S. Barker, Jr.
Rep. John T. Church
Rep. Bruce Ethridge
Rep. John J. Hunt
Rep. Margaret Tennille

Pres. Pro Tem Craig Lawing, Cochairman
Sen. William N. Martin
Sen. Helen Marvin
Sen. William Staton
Sen. Joseph Thomas
Sen. Russell Walker

AGING, PROBLEMS OF THE

Rep. Gus Economos, Cochairman
Rep. Sidney A. Locks
Rep. D. R. Mauney, Jr.
Rep. Henry M. Tyson
Rep. Barney P. Woodard

ANIMAL SHELTERS AND POUNDS, DISPOSITION OF ANIMALS BY

Rep. Peggy Stamey, Cochairman
Rep. Austin Allran
Rep. David W. Bumgardner, Jr.
Rep. Tom Matthews
Rep. Richard Wright

BANKS, SAVINGS AND LOANS AND CREDIT UNIONS, REGULATIONS AND TAXATION OF

Rep. Edward N. Warren, Cochairman
Rep. Harold J. Brubaker
Rep. Charles D. Evans
Rep. John C. Hasty
Rep. Wendell H. Murphy

BIOTECHNOLOGY DEVELOPMENT

Rep. Bobby R. Etheridge, Cochairman
Rep. Sam Beam
Rep. Marie Colton
Rep. John J. Hunt
Rep. J. P. Huskins
Dr. Frank Hart
Mr. Charlie Carpenter

BOARDS, COMMISSIONS AND COUNCILS IN THE EXECUTIVE BRANCH

Rep. Sam Beam, Cochairman
Rep. Worth Gentry
Rep. Herman C. Gist

Rep. John J. Hunt
Rep. Robert C. Hunter

COMPUTER LITERACY IN THE PUBLIC SCHOOLS AND COMMUNITY COLLEGES

Rep. Bertha M. Holt, Cochairman
Rep. Phillip O. Berry
Rep. Martin Lancaster
Rep. Jeanne Fenner
Rep. Narvel J. Crawford

DAY CARE

Rep. Marie W. Colton, Cochairman
Rep. Walter B. Jones, Jr.
Rep. Louise S. Brennan
Rep. Tom C. Womble
Rep. Margaret Keesee-Forrester

DISTRICT ATTORNEY STANDARDS AND THE OFFICE OF REGISTER OF DEEDS

Rep. Tom Rabon, Jr., Cochairman
Mr. Conrad Burrell
Rep. Charles D. Owens
Rep. Phillip O. Berry
Rep. James E. Lambeth, Jr.

EDUCATIONAL INSTITUTIONS, REGULATION OF NONPUBLIC AND PUBLIC POST-SECONDARY

Rep. Betty Dorton Thomas, Cochairman
Rep. Gordon Greenwood
Rep. Anne Barnes
Rep. Charles Woodard
Dr. H. F. Robinson

INCORPORATING MUNICIPALITIES, PROCEDURE FOR

Rep. Gordon Greenwood, Cochairman
Rep. R. D. Beard
Rep. Ray C. Fletcher
Rep. Robert C. Hunter
Rep. Mary L. Jarrell

INSURANCE LAWS AND REGULATIONS OF INSURANCE INDUSTRY AND READABLE INSURANCE POLICIES

Rep. Foyle Hightower, Jr.
Rep. Frank Ballance, Jr.
Rep. Charles Beall
Rep. John C. Hasty
Rep. Hugh A. Lee
Rep. Mary P. Seymour

LAND CLEARING AND PEAT MINING, ADEQUACY OF STATE MANAGEMENT OF LARGE-SCALE

Rep. Robert McAlister
Rep. Edward C. Bowen
Rep. Dan DeVane
Rep. Bruce Ethridge
Rep. Charles Evans

LEGISLATIVE COMMUNICATIONS CONFIDENTIALITY

Rep. Narvel J. Crawford, Cochairman
Rep. J. W. Crawford
Rep. J. P. Huskins
Rep. Annie B. Kennedy
Rep. George W. Miller, Jr.

MOTOR VEHICLE INSPECTION PROGRAM

Rep. Aaron E. Fussell, Cochairman
Rep. Louise S. Brennan
Rep. David W. Bumgardner, Jr.
Rep. Jeff H. Enloe, Jr.
Rep. Edith L. Lutz

MOTORBOAT TITLES AND LIABILITY INSURANCE

Rep. Mary P. Seymour, Cochairman
Rep. Peggy Stamey
Rep. Frank Ballance
Rep. James E. Lambeth, Jr.
Rep. J. W. Crawford

PUBLIC HEALTH FACILITY LAWS

Rep. Marvin D. Musselwhite, Jr., Cochairman
Rep. William T. Grimsley
Rep. W. Paul Pulley, Jr.
Rep. Tom C. Womble
Rep. Charles D. Woodard

RAILROAD PROPERTY, STATE'S INTEREST IN

Rep. Jack Hunt, Cochairman
Rep. David W. Bumgardner, Jr.
Rep. John T. Church
Rep. Daniel T. Lilley
Rep. Ray Sparrow
Mr. Vernon Rochelle

RENTAL HOUSING, STATE-OWNED

Rep. George W. Brannan, Cochairman
Rep. C. Melvin Creecy

Rep. J. Worth Gentry
Rep. Mary P. Seymour
Rep. Edward N. Warren

REVENUE LAWS

Rep. Daniel T. Lilley, Cochairman
Rep. T. Clyde Auman
Rep. Sidney A. Locks
Rep. Josephus L. Mavretic
Rep. Murray P. Pool

STATUTORY LIENS AND FARM PRODUCTS SECURITY INTEREST

Rep. Margaret Tennille, Cochairman
Rep. Ray C. Fletcher
Rep. Wendell H. Murphy
Rep. Joseph B. Roberts III
Rep. J. Paul Tyndall

TOXIC OR HAZARDOUS SUBSTANCES, IMPLEMENTATION OF IDENTIFICATION AND LABELLING OF

Rep. Harry E. Payne, Jr., Cochairman
Rep. David H. Diamont
Rep. Joe Hackney
Rep. Josephus L. Mavretic
Rep. Murray P. Pool

USER FEES AT STATE-OWNED FACILITIES

Rep. Gerald L. Anderson, Cochairman
Rep. Robert Brawley
Rep. Howard B. Chapin
Rep. Annie B. Kennedy
Rep. James E. Lambeth, Jr.

WATER POLLUTION CONTROL PROGRAMS TO IMPROVE AND PROTECT WATER QUALITY, ADEQUACY OF EXISTING

Rep. Charles D. Evans, Cochairman
Rep. Joe R. Hudson
Rep. Daniel T. Lilley
Rep. Joseph B. Roberts III
Rep. Betty Dorton Thomas

WATER QUALITY IN HAW RIVER AND B. EVERETT JORDAN RESERVOIR

Rep. Joe Hackney, Cochairman
Rep. T. Clyde Auman
Rep. Aaron E. Fussell
Rep. William T. Grimsley
Rep. Bertha M. Holt

WATER RESOURCES ISSUES INVOLVING NORTH CAROLINA AND VIRGINIA

Rep. Henry M. Tyson, Cochairman
Rep. John T. Church
Rep. H. Parks Helms
Rep. Vernon G. James
Rep. Robie L. Nash

WOMEN, ECONOMIC, SOCIAL AND LEGAL PROBLEMS AND NEEDS OF

Rep. Ruth M. Easterling, Cochairman
Rep. Anne Barnes
Rep. H. Parks Helms
Rep. Walter B. Jones, Jr.
Mrs. Nancy Jones

WORTHLESS CHECKS

Rep. Robie L. Nash, Cochairman
Rep. Luther R. Jeralds
Rep. Tom Matthews
Rep. D. R. Mauney, Jr.
Rep. John W. Varner

ADDENDUM

It will be noted that a number of bills and resolutions passed second reading and then were read a third time on the same day.

Rule 41(b) states:

No bill shall be read more than once in the same day without the concurrence of two-thirds (2/3) of the members present and voting.

In order to comply with this Rule, no bill which has passed its second reading is read a third time except:

(1) When a member moves that the Rule be suspended, and this motion carries by at least a two-thirds vote of the members present.

(2) When the Chair determines that there is no objection from any member present. This constitutes unanimous consent of those members present that Rule 41(b) be suspended.

In these cases, the bill is read a third time.

Grace A. Collins
Prinicpal Clerk

JOURNAL

OF THE

House of Representatives

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF NORTH CAROLINA

EXTRA SESSION
1983

OFFICERS AND MEMBERS

of the

House of Representatives

EXTRA SESSION 1983

LISTON B. RAMSEY, *Speaker*.....Marshall, Madison County
ALLEN C. BARBEE, , *Speaker Pro Tempore*.....Spring Hope, Nash County
GRACE A. COLLINS, *Principal Clerk*.....Fuquay-Varina, Wake County
SAM J. BURROW, JR., *Reading Clerk*.....Cary, Wake County
LARRY P. EAGLES, *Sergeant-at-Arms*.....Tarboro, Edgecombe County

REPRESENTATIVES

1st District (2): Camden, Chowan, Currituck, Dare, Gates (Part), Pasquotank, Perquimans, Tyrrell, Washington (Part).
Charles D. Evans (D).....Dare.....Nags Head
Vernon G. James (D).....Pasquotank.....Elizabeth City

2nd District (1): Beaufort, Hyde, Washington (Part).
Howard B. Chapin (D).....Beaufort.....Washington

3rd District (3): Craven, Lenoir, Pamlico.
Gerald L. Anderson (D).....Craven.....New Bern
Chris S. Barker, Jr. (D).....Craven.....New Bern
Daniel T. Lilley (D).....Lenoir.....Kinston

4th District (3): Carteret, Onslow.
Bruce Ethridge (D).....Onslow.....Swansboro
G. Malcolm Fulcher, Jr. (D).....Carteret.....Atlantic Beach
J. Paul Tyndall (D).....Onslow.....Jacksonville

5th District (1): Bertie (Part), Gates (Part), Hertford (Part), Northampton.
C. Melvin Creecy (D).....Northampton.....Rich Square

6th District (1): Bertie (Part), Hertford (Part), Martin (Part), Pitt (Part).
John B. Gillam, III (D).....Bertie.....Windsor

7th District (1): Halifax (Part), Martin (Part), Warren (Part).
Frank W. Ballance, Jr. (D).....Warren.....Warrenton

8th District (4): Edgecombe, Nash, Wilson.
Allen C. Barbee (D).....Nash.....Spring Hope
Jeanne Fenner (D).....Wilson.....Wilson
Tom Matthews (D).....Nash.....Rocky Mount
J. L. Mavretic (D).....Edgecombe.....Tarboro

9th District (2): Greene, Pitt (Part).
Walter B. Jones (D).....Pitt.....Farmville
Edward N. Warren (D).....Pitt.....Greenville

10th District (1): Duplin, Jones.

Wendell H. Murphy (D)	Duplin	Rose Hill

11th District (2): Wayne.

Martin Lancaster (D)	Wayne	Goldsboro
Charles D. Woodard (D)	Wayne	Goldsboro

12th District (2): Bladen, Pender (Part), Sampson.

Edward C. Bowen (D)	Sampson	Harrells
Murray Pool (D)	Sampson	Clinton

13th District (2): New Hanover (Part).

Harry E. Payne, Jr. (D)	New Hanover	Wilmington
S. Thomas Rhodes (R)	New Hanover	Wilmington

14th District (1): Brunswick, New Hanover (Part), Pender (Part).

Tom Rabon, Jr. (D)	Brunswick	Winnabow

15th District (1): Columbus.

Richard Wright (D)	Columbus	Tabor City

16th District (3): Hoke, Robeson, Scotland (Part).

Daniel H. DeVane (D)	Hoke	Raeford
John Calvin Hasty (D)	Robeson	Maxton
Sidney A. Locks (D)	Robeson	Lumberton

17th District (2): Cumberland (Part).

C. R. Edwards (D)	Cumberland	Fayetteville
Luther R. Jeralds (D)	Cumberland	Fayetteville

18th District (3): Cumberland (Part).

R. D. Beard (D)	Cumberland	Fayetteville
William E. Clark (D)	Cumberland	Fayetteville
Henry M. Tyson (D)	Cumberland	Fayetteville

19th District (2): Harnett, Lee.

Bob R. Etheridge (D)	Harnett	Lillington
Dennis A. Wicker (D)	Lee	Sanford

20th District (2): Franklin, Johnston.

George W. Brannan (D)	Johnston	Smithfield
Barney Paul Woodard (D)	Johnston	Princeton

21st District (6): Wake.

Allen Adams (D)	Wake	Raleigh
Daniel Blue, Jr. (D)	Wake	Raleigh
Aaron E. Fussell (D)	Wake	Raleigh
Marvin D. Musselwhite, Jr. (D)	Wake	Raleigh
J. Ray Sparrow (D)	Wake	Cary
Margaret Stamey (D)	Wake	Raleigh

22nd District (3): Caswell, Granville, Halifax (Part), Person, Vance, Warren.

John T. Church (D)	Vance	Henderson
James W. Crawford, Jr. (D)	Granville	Oxford
William T. Watkins (D)	Granville	Oxford

23rd District (3): Durham.

George W. Miller, Jr. (D)	Durham	Durham
W. Paul Pulley, Jr. (D)	Durham	Durham
Kenneth B. Spaulding (D)	Durham	Durham

24th District (2): Chatham (Part), Orange.

Anne Barnes (D)	Orange	Chapel Hill
Joe Hackney (D)	Orange	Chapel Hill

25th District (4): Alamance, Rockingham, Stokes (Part).

Bertha B. Holt (D)	Alamance	Burlington
John M. Jordan (D)	Alamance	Saxapahaw
Robert L. McAlister (D)	Rockingham	Ruffin
Timothy H. McDowell (D)	Alamance	Mebane

26th District (1): Guilford (Part), Randolph (Part).

Herman C. Gist (D)	Guilford	Greensboro

27th District (3): Guilford (Part).

J. Howard Coble (R)	Guilford	Greensboro
Margaret P. Keesee (R)	Guilford	Greensboro
Mary P. Seymour (D)	Guilford	Greensboro

28th District (2): Guilford (Part).

Dorothy R. Burnley (R)	Guilford	High Point
Mary Jarrell (D)	Guilford	High Point

29th District (1): Forsyth (Part), Guilford (Part).

William T. Grimsley (D)	Guilford	Summerfield

30th District (1): Chatham (Part), Randolph (Part).

Frank Redding (R)	Randolph	Asheboro

31st District (1): Moore.

T. Clyde Auman (D)	Moore	West End

32nd District (1): Richmond, Scotland (Part).

Hugh Lee (D)	Richmond	Rockingham

33rd District (1): Anson, Montgomery.

Foyle Hightower, Jr. (D)	Anson	Wadesboro

34th District (4): Cabarrus, Stanly, Union.

Joe R. Hudson (D)	Union	Waxhaw
Robert L. Slaughter (D)	Stanly	Albemarle
Betty Dorton Thomas (D)	Cabarrus	Concord
Dwight W. Quinn (D)	Cabarrus	Kannapolis

35th District (2): Rowan.

Bradford V. Ligon (R)	Rowan	Salisbury
Robie L. Nash (D)	Rowan	Salisbury

36th District (8): Mecklenburg.

Phillip O. Berry (D)	Mecklenburg	Charlotte
J. B. Black (D)	Mecklenburg	Matthews
Louise S. Brennan (D)	Mecklenburg	Charlotte
Ruth M. Easterling (D)	Mecklenburg	Charlotte
Gus Economos (D)	Mecklenburg	Charlotte
Jo Graham Foster (D)	Mecklenburg	Charlotte
H. Parks Helms (D)	Mecklenburg	Charlotte
L. P. Spoon (R)	Mecklenburg	Charlotte

37th District (3): Davidson, Davie, Iredell (Part).

Betsy L. Cochrane (R)	Davie	Advance
J. E. Lambeth (D)	Davidson	Thomasville
John W. Varner (D)	Davidson	Lexington

38th District (1): Randolph (Part).

Harold J. Brubaker (R)	Randolph	Asheboro

39th District (5): Forsyth (Part).

R. J. Childress (D)	Forsyth	Winston-Salem
C. B. Hauser (D)	Forsyth	Winston-Salem
Annie Brown Kennedy (D)	Forsyth	Winston-Salem
Margaret R. Tennille (D)	Forsyth	Winston-Salem
Tom C. Womble (D)	Forsyth	Clemmons

40th District (3): Alleghany, Ashe, Stokes (Part), Surry, Watauga (Part).

David A. Diamont (D)	Surry	Pilot Mountain
J. Worth Gentry (D)	Stokes	King
Margaret B. Hayden (D)	Alleghany	Sparta

41st District (2): Alexander (Part), Wilkes, Yadkin.

John Walter Brown (R)	Wilkes	Elkin
George M. Holmes (R)	Yadkin	Hamptonville

42nd District (1): Iredell (Part).

J. P. Huskins (D)	Iredell	Statesville

43rd District (1): Alexander (Part), Catawba (Part), Iredell (Part).

C. Robert Brawley (R)	Iredell	Mooresville

44th District (4): Gaston, Lincoln.

S. L. Beam (D)	Gaston	Cherryville
David W. Bumgardner, Jr. (D)	Gaston	Belmont
D. R. Mauney, Jr. (D)	Gaston	Cherryville
J. B. Roberts (D)	Gaston	Gastonia

45th District (2): Burke (Part), Catawba (Part).

Austin M. Allran. (R)	Catawba	Hickory
J. Reid Poovey (R)	Catawba	Hickory

46th District (3): Alexander (Part), Avery, Burke (Part), Caldwell, Mitchell, Watauga (Part).

James F. Hughes (R)	Avery	Linville
S. B. Lacey, Jr. (R)	Avery	Newland
George Robinson (R)	Caldwell	Lenoir

47th District (1): Burke (Part).

Ray C. Fletcher (D)	Burke	Valdese

48th District (3): Cleveland, Polk, Rutherford.

John J. Hunt (D)	Cleveland	Lattimore
Edith Ledford Lutz (D)	Cleveland	Lawndale
Charles Owens (D)	Rutherford	Forest City

49th District (1): McDowell, Yancey.

Robert C. Hunter (D)	McDowell	Marion

50th District (1): Henderson (Part).

Charles H. Hughes (R)	Henderson	Hendersonville

51st District (4): Buncombe, Transylvania, Henderson (Part).

Marie W. Colton (D)	Buncombe	Asheville
Narvel J. Crawford (D)	Buncombe	Asheville
Gordon H. Greenwood (D)	Buncombe	Black Mountain
Martin L. Nesbitt (D)	Buncombe	Asheville

52nd District (2): Graham (Part), Haywood, Jackson, Madison, Swain.

Charles Beall (D)	Haywood	Clyde
Liston B. Ramsey (D)	Madison	Marshall

53rd District (1): Cherokee, Clay, Graham (Part), Macon.

Jeff H. Enloe, Jr. (D)	Macon	Franklin

HOUSE JOURNAL

EXTRA SESSION 1983

FIRST DAY

HOUSE OF REPRESENTATIVES
Friday, August 26, 1983

Pursuant to a call of his Excellency, Governor James B. Hunt, Jr., hereinafter recorded, the House of Representatives of the General Assembly of North Carolina convenes in its Hall in an Extra Session, at the hour of ten o'clock, Friday, August 26, 1983 and is called to order by Speaker Ramsey.

Prayer is offered by Representative Dan Lilley.

QUORUM CALL

In order to establish a quorum, the Speaker directs an electronic call of the roll of the House members and the following Representatives are recorded as present:

Speaker Ramsey, Representatives Adams, Allran, Anderson, Auman, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Blue, Bowen, Brannan, Brawley, Brennan, Brown, Bumgardner, Burnley, Chapin, Childress, Church, Coble, Cochrane, Colton, N. J. Crawford, Creecy, DeVane, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gentry, Gillam, Gist, Grimsley, Hackney, Hayden, Helms, Hightower, Holmes, Holt, Hudson, Hunt, Hunter, Huskins, James, Jarrell, Jeralds, Jones, Jordan, Keesee, Kennedy, Lacey, Lambeth, Lancaster, Lee, Ligon, Lilley, Locks, Lutz, McAlister, McDowell, Matthews, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nesbitt, Owens, Payne, Pool, Poovey, Pulley, Quinn, Rabon, Redding, Rhodes, Roberts, Robinson, Seymour, Slaughter, Spaulding, Spoon, Stamey, Tennille, Thomas, Tyson, Varner, Warren, Watkins, Wicker, Womble, B. Woodard, C. Woodard, and Wright—106.

Leaves of absence are granted Representatives Diamont, C. Hughes, and Greenwood for today.

The Reading Clerk reads the following Proclamation by the Governor:

PROCLAMATION BY THE GOVERNOR
EXTRA SESSION OF THE GENERAL ASSEMBLY
August 24, 1983

WHEREAS, Article III, Section 5(7) of the Constitution of North Carolina authorizes the Governor on extraordinary occasions to convene the General Assembly in Extra Session; and

WHEREAS, I have convened a meeting of the Council of State to seek their advice on Convening an Extra Session of the General Assembly; and

WHEREAS, I have determined it is in the best interests of the State of North Carolina that an Extra Session of the General Assembly be convened as soon as it is practicable;

NOW, THEREFORE, I, James B. Hunt, Jr., Governor of the State of North Carolina, under and by virtue of the authority vested in me by Article III, Section 5(7) of the Constitution of North Carolina, do, by and with the advice of the Council of State, proclaim that the General Assembly of North Carolina shall meet in Extra Session at Raleigh at 10:00 a.m., on Friday, August 26, 1983, for the following purposes:

(1) Considering and acting upon legislation to amend Chapter 759 of the Session Laws of 1983.

(2) Considering and acting upon legislation to amend Chapter 740 of the Session Laws of 1983.

I do hereby call upon, notify and direct all members of the General Assembly to meet in the City of Raleigh at 10:00 a.m., August 26, 1983, in such General Assembly as provided by the Constitution of North Carolina.

Done at our Capital at Raleigh, this the Twenty-fourth day of August, 1983.

S/ JAMES B. HUNT, JR.
Governor

On motion of Representative Hunt, the permanent Rules of the 1983 Regular Session of the House of Representatives are adopted as permanent Rules of the 1983 Extra Session.

The Speaker orders a Special Message sent to the Senate informing that Honorable Body that the House of Representatives is organized and ready to proceed with business.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
August 26, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the Senate is convened, organized, and ready to proceed with the public business of the State in this Extra Session under the Proclamation by the Governor, issued August 24, 1983.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

INTRODUCTION OF BILLS AND RESOLUTIONS

On motion of Representative Barbee, the rules are suspended and the following is read the first time.

By Representative Barbee:

H. B. 1, A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

On motion of Representative Barbee, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading, by electronic vote (105-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

On motion of Representative Adams, the rules are suspended and the following is read the first time.

By Representative Adams:

H. B. 2, A BILL TO BE ENTITLED AN ACT TO CLARIFY CRIMINAL DISCOVERY OF ORAL STATEMENTS OF THE DEFENDANT.

On motion of Representative Adams, the rules are suspended and the bill is placed before the House for immediate consideration.

Representative Brawley offers Amendment No. 1.

On motion of Representative Slaughter, seconded by Representative Adams, Amendment No. 1 is tabled by electronic vote (95-14).

Representative Adams calls the previous question. The call is sustained by electronic vote (106-3).

The bill passes its second reading, by electronic vote (108-1), and there being no objection is read a third time.

Representative Redding offers Amendment No. 2.

Representative Redding calls for the "ayes" and "noes". The call is sustained.

On motion of Representative Quinn, seconded by Representative Adams, Amendment No. 2 is tabled by the following vote.

Those voting in the affirmative: Representatives Adams, Anderson, Auman, Barbee, Barker, Barnes, Beall, Beam, Beard, Berry, Black, Blue, Bowen, Brannen, Brennan, Bumgardner, Chapin, Childress, Church, J. W. Crawford, N. J. Crawford, Creecy, Easterling, Economos, Edwards, Enloe, Bob Etheridge, Bruce Ethridge, Evans, Fenner, Fletcher, Foster, Fulcher, Fussell, Gillam, Gist, Grimsley, Hackney, Hauser, Hayden, Helms, Hightower, Holt, Hudson, Hunt, Hunter, Huskins, Jarrell, Jones, Kennedy, Lambeth, Lancaster, Lee, Lilley, Locks, Lutz, McAlister, McDowell, Mauney, Mavretic, Miller, Murphy, Musselwhite, Nesbitt, Owens, Payne, Pool, Pulley, Quinn, Rabon, Roberts, Seymour, Slaughter, Sparrow, Spaulding, Stamey, Tennille, Thomas, Tyson, Varner, Warren, Watkins, Wicker, Womble, C. Woodard, and Wright—86.

Voting in the negative: Representatives Allran, Brawley, Brown, Burnley, Coble, Cochrane, DeVane, Hasty, Holmes, James, Jordan, Keesee, Lacey, Ligon, Matthews, Poovey, Redding, Rhodes, Robinson, and Spoon—20.

Excused absences: Representatives Diamont, Greenwood, and C. Hughes—3.

Representative Adams calls the previous question. The call is sustained.

The bill passes its third reading, by electronic vote (108-1), and is ordered sent to the Senate by Special Message.

On motion of Representative Hunt, the rules are suspended and the following is read the first time.

By Representative Hunt:

H. B. 3, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE PRINTING OF THE SESSION LAWS AND JOURNALS OF THE EXTRA SESSION OF 1983.

On motion of Representative Hunt, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading, by electronic vote (101-1), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

On motion of Representative Wicker, the rules are suspended and the following is read the first time.

By Representative Wicker:

H. B. 4, A BILL TO BE ENTITLED AN ACT TO STRENGTHEN LAWS REGULATING SALES OF ALCOHOLIC BEVERAGES.

On motion of Representative Wicker, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading, by electronic vote (108-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

On motion of Representative Payne, the rules are suspended and the following is read the first time.

By Representatives Payne and Rhodes:

H. B. 5, A BILL TO BE ENTITLED AN ACT TO CORRECT AN ERROR IN AN ACT RELATING TO THE WILMINGTON CITY COUNCIL.

On motion of Representative Payne, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading and there being no objection is read a third time.

The bill passes its third reading and is ordered sent to the Senate by Special Message.

SPECIAL MESSAGES FROM THE SENATE

The following Special Messages are received from the Senate:

S. B. 1, A BILL TO BE ENTITLED AN ACT TO APPOINT PERSONS TO PUBLIC OFFICE UPON THE RECOMMENDATION OF THE PRESIDENT OF THE SENATE, is read the first time.

On motion of the Chair, the rules are suspended and the bill is placed before the House for immediate consideration.

The bill passes its second reading, by electronic vote (106-0), and there being no objection is read a third time.

The bill passes its third reading and is ordered enrolled.

On motion of Representative Hunt, the rules are suspended and the following is read the first time.

By Representative Hunt:

H. J. R. 6, A JOINT RESOLUTION ADJOURNING THE 1983 EXTRA SESSION SINE DIE.

On motion of Representative Hunt, the rules are suspended and the resolution is placed before the House for immediate consideration.

The resolution passes its second reading, by electronic vote (89-0), and there being no objection is read a third time.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. B. 1, AN ACT TO APPOINT PERSONS TO PUBLIC OFFICE UPON THE RECOMMENDATION OF THE PRESIDENT OF THE SENATE.

H. B. 1, AN ACT TO APPOINT PERSONS TO VARIOUS PUBLIC OFFICES UPON THE RECOMMENDATION OF THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

H. B. 3, AN ACT TO PROVIDE FOR THE PRINTING OF THE SESSION LAWS AND JOURNALS OF THE EXTRA SESSION OF 1983.

H. B. 5, AN ACT TO CORRECT AN ERROR IN AN ACT RELATING TO THE WILMINGTON CITY COUNCIL.

H. B. 4, AN ACT TO STRENGTHEN LAWS REGULATING SALES OF ALCOHOLIC BEVERAGES.

H. B. 2, AN ACT TO CLARIFY CRIMINAL DISCOVERY OF ORAL STATEMENTS OF THE DEFENDANT.

H. J. R. 6, A JOINT RESOLUTION ADJOURNING THE 1983 EXTRA SESSION SINE DIE.

The business of the House having been concluded, the Speaker orders a Special Message sent to the Senate informing that Honorable Body that the House has finished its business and stands ready to adjourn.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
August 26, 1983

Mr. Speaker:

It is ordered that a message be sent your Honorable Body respectfully advising that the business of the Senate has been concluded and that that body will be ready to adjourn pursuant to H. J. R. 6, A JOINT RESOLUTION ADJOURNING THE 1983 EXTRA SESSION SINE DIE, upon notification that your Honorable Body stands ready to adjourn.

Respectfully,
S/ SYLVIA FINK
Principal Clerk

On motion of Representative Hunt, seconded by Representative Quinn, and pursuant to the Joint Resolution fixing the hour of adjournment of the Extra Session of the 1983 General Assembly, sine die, the House having completed the business before it, and the hour having arrived for adjournment, the Speaker declares the House of Representatives of the Extra Session of the 1983 General Assembly of North Carolina adjourned sine die.

GRACE COLLINS
Principal Clerk

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EXTRA SESSION

1983

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Grace Collins

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